

**229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-42511-2020

DECIDED ON: 12th JULY, 2021

GULSHAN KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Randeep Singh Waraich Rana, Advocate for
Mr. Raj Kumar Gupta, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference
due to COVID-19 situation.

Third petition under Section 439 Cr.P.C is filed seeking
regular bail in case FIR No.70, dated 22nd August, 2019, under Sections 22
and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985
(hereinafter referred to as 'Act'), registered at Police Station Raikot, District
Ludhiana.

On acting upon a secret information, the police set up a naka
in the area of drain Tajpur Road Raikot, the petitioner was apprehended.
He was holding two plastic envelopes. On search, 38 boxes of hard card
each box containing 500 intoxicant tablets totalling 19000 intoxicant
tablets of Clovidol-100 SR (Tramadol Hydrochloride tablet 100 mg) were

recovered.

Learned counsel for the petitioner submits that petitioner is in custody from 1 ½ years. No recovery is to be made.

Learned State counsel vehemently opposes the prayer for grant of bail stating that it is a case of heavy recovery. Moreover, petitioner is involved in four more FIRs under the Act and even in one of those cases, recovery was heavy.

In the present case the recovery from the petitioner is of 19000 tablets of Clovidol-100 SR, the case falls within the ambit of Section 37 of the Act. Involvement in other cases is an indicator of the antecedents of the petitioner. No case is made out for bail.

The petition is dismissed.

(AVNEESH JHINGAN)
JUDGE

12th JULY, 2021

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Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*