

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M No.10067 of 2022

Date of Decision: 14.03.2022

Shampy Singh

..... Petitioner

Versus

The State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. G.S. Dhindsa, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This is third petition seeking regular bail in case of FIR No.208, dated 11.12.2020, under Section 22 of the NDPS Act, 1985, registered at Police Station Passiana, District Patiala.

1. The first bail petition was dismissed on merits by reasoned order on 29.07.2021. The following order was passed:

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

[2] This is a petition under Section 439 of Cr.P.C. seeking regular bail in FIR No.208, dated 11th December, 2020, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 [hereinafter 'the Act'], registered at Police Station Passian, Patiala.

[3] During patrolling on 11th December, 2020 the police party checked scooter bearing registration No. PB-11CT-1701

driven by Shampy Singh (petitioner). From his conscious possession 840 intoxicating tablets were recovered, found to be Tramadol.

[4] Learned counsel appearing for the petitioner submits that the petitioner is in custody for the last eight months.

[5] Learned State counsel opposes the prayer for grant of regular bail. She, on instructions from ASI Baljeet Ram submits that petitioner is involved in another NDPS case. She further submits that recovery was of 385 grams of Tramadol and relies upon Section 37 of the Act. She submits that trial is proceeding and out of eleven prosecution witnesses, the examination-in-chief of three is complete. Further earnest efforts would be made to conclude the prosecution evidence as expeditiously as possible.

[6] The custody of eight months cannot only be itself relevant factor for grant of regular bail. The quantity recovered from the petitioner is commercial. The FIR is of December, 2020. In spite of COVID-19 scenario chief of three prosecution witnesses have been examined by prosecution and they are to be cross examined. Petitioner is involved in another NDPS case.

[7] No ground is made out for grant of bail.

[8] Dismissed.”

Thereafter, another petition was filed, which was withdrawn on 09.02.2022. This is a third petition.

Learned counsel for the petitioner has not been able to point out any change in circumstances.

Learned counsel for the petitioner, after arguing for some time and realizing that the Court is not inclined to grant bail, seeks permission to withdraw the present petition at this stage.

Dismissed as withdrawn.

[AVNEESH JHINGAN]
JUDGE

14th March, 2022
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| 1. Whether speaking/ reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |