

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

207

CRM-M-18190-2022

Date of decision : 15.07.2022

Mukesh Kumar

...Petitioner

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Ankur Bansal, Advocate,
for the petitioner.

Mr. Nikhil Chopra, Addl.A.G., Punjab.

ANIL KSHETARPAL, J. (ORAL)

The petitioner's third attempt to get bail during the pendency of the trial arising from FIR No.70, dated 20.03.2020, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, ' the NDPS Act') and Section 29 of the NDPS Act, added later on, registered at Police Station Bhawanigarh, District Sangrur.

Reply on behalf of the State filed in the Court today, is taken on record.

As per the case of prosecution, 34,900 tablets containing a prohibited substance was recovered from the car being driven by the petitioner, with two other persons riding with him.

Learned counsel representing the petitioner submits that the petitioner was hired only as a driver and he had no knowledge of the luggage being carried by the owner or the other person. However, no material in support of the contention, thereof, has been produced. The

recovery in the present case is huge. Section 37 of the NDPS Act lays down that ordinarily i.e. as a general rule, in such cases, no bail should be granted.

The trial of the case is stated to be in progress as 03 out of 19 witnesses have been examined. The petitioner is in custody for more than 02 years and 04 months.

The petition is disposed of while requesting the Special Court to make sincere endeavour for the expeditious disposal of the case.

15.07.2022

anju

(ANIL KSHETARPAL)

JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No