

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

CRM-M-24877-2021 (O & M)

Date of decision: 21.07.2022

Parmeshwar Singh @ Raju

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.65 dated 27.04.021, registered at Police Station Subhanpur, District Kapurthala, under Sections 22-C, 15 and 29 (added later on) of NDPS Act, 1985.

It is the case of the petitioner that he has falsely been implicated in the present case, and that false recovery had been planted upon him.

I have heard the learned State counsel.

As per the prosecution version, recovery of 5000 loose intoxicant tablets had been effected from a polythene allegedly thrown by the petitioner being a pillion rider on motor-cycle bearing registration No.PB-08-EG-6950.

The present case has been registered under Sections 15 and 22 (c) NDPS Act, alleging the extent of intoxicant tablets, recovered in the present case, falls in 'commercial quantity'. Section 37 NDPS Act bars the grant of bail to the accused in case of 'commercial quantity'. The

liberal approach in granting bail in cases under the NDPS Act, is uncalled for. Reliance in this regard can be placed upon the recent judgment dated 19.07.2022, delivered by the Hon'ble Supreme Court in Criminal Appeal No.1001-1002 of 2022, titled as 'Narcotics Control Bureau Vs. Mohit Aggarwal'.

Moreover, out of two other cases of similar nature, registered against the petitioner, he stands acquitted in one case whereas is facing trial in another case. It also shows that the petitioner has the tendency of committing repeated crime(s) of similar nature.

Considering the same, at this stage, no justifiable ground is made out to extend the concession of regular bail to the petitioner.

Consequently, the present petition stands dismissed.

21.07.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No