

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30634-2021 (O&M)
Date of Decision:-10.8.2022

Karam Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Munish Garg, Advocate for the petitioner.

Mr. Harpreet S. Multani, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.73 dated 17.6.2021, Police Station Tappa Mandi, District Barnala, under Sections 21 and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Status report has been filed by learned State counsel, which is taken on record.
3. It is the case of prosecution that initially Lakhvir Singh @ Lali was arrested by the police from whose possession 30 grams of 'heroin' was recovered. During the course of interrogation, he suffered a disclosure statement against Tarsem Singh @ Ladi, who was arrested by the police and from whose possession 300 grams of 'heroin' was recovered. Upon interrogation of said

Tarsem Singh @ Ladi, he disclosed that he had purchased the said contraband from the petitioner Karam Singh.

4. Learned counsel for the petitioner submitted that the petitioner was never ever found in possession of any contraband and has been nominated on the basis of a disclosure statement, the admissibility and veracity of which would be debatable. Learned counsel has further submitted that since Lakhvir Singh @ Lali, who was initially arrested in the present case, has already been granted bail, the petitioner also deserves the same concession on grounds of parity.
5. Opposing the petition, learned State counsel has submitted that the petitioner cannot claim any parity with the co-accused Lakhvir Singh @ Lali as he was found in possession of 'non-commercial' quantity of contraband, whereas the petitioner apart from having been nominated by Tarsem Singh @ Ladi, who was found in possession of 'commercial' quantity of contraband, happens to be involved in 7 other cases including 5 cases under NDPS Act, wherein he already stands convicted.
6. Having regard to the facts and circumstances of the case particularly the antecedents of the petitioner, this Court does not find any special case for grant of anticipatory bail. The petition is sans merit and is hereby dismissed.
7. It is, however, directed that in case the petitioner surrenders before the trial Court within a period of two weeks from today and applies for grant of regular bail, the learned trial Court shall endeavour to dispose of the same expeditiously.

10.8.2022

pankaj

Whether speaking /reasoned
Whether Reportable

(Gurvinder Singh Gill)
Judge

Yes / No
Yes / No