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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.36890 of 2021 (O&M)

Date of decision: 10.01.2022

Raj Kumar @ Budhu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Hem Raj Kapil, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.08 dated 24.02.2021 registered under Sections 22/29/61/85 of the NDPS Act, at Police Station Thuliwal, District Barnala.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of SI Satpal Singh, while on petrol duty, he got a secret information that the accused/non-applicant Sukhwinder Singh @ Raja and the present petitioner namely Raj Kumar @ Budhu, are indulged in bringing intoxicant tablets from one Harpreet Singh, accused/non-applicant.

On the basis of the said information, a ruqa was sent to the Police Station and the Deputy Superintendent of Police was called at the spot. Later on, both the accused i.e. Sukhwinder Singh @ Raja and Raj Kumar @ Budhu, were arrested and 900 loose intoxicant tablets were recovered. During the investigation, both the accused further

HEARD THROUGH VIDEO CONFERENCING

made a disclosure statement and another recovery of 950 loose intoxicant tablets was effected. It has also come in the investigation that both the accused i.e. Sukhwinder Singh @ Raja and Raj Kumar @ Budhu, used to purchase the narcotics from Harpreet Singh.

Counsel for the petitioner has submitted that there is a non-compliance of Section 50 of the NDPS Act.

Counsel for the State has filed the Custody Certificate today in the Court and as per the Custody Certificate, the petitioner is in custody for the last about 10 months and he is involved in one more case registered under the Excise Act.

Counsel for the State has, thus, opposed the prayer for bail on the ground that proper investigation was carried out and even the Gazetted Officer was called at the spot and in his presence, the recovery was effected and even subsequently, another recovery of 950 intoxicant tablets was effected.

After hearing the counsel for the parties, considering the arguments raised by counsel for the State, I find no ground to grant the concession of regular bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

10.01.2022
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No