

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

CRM-M-47378-2021

Date of Decision: 10th February, 2022

Gurparamjit Singh @ Pamma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Monty Goyal, Advocate,
for the petitioner.

Mr. Amit Mehta, Sr. Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition, under Section 439 Cr.P.C., has been filed seeking regular bail in FIR No. 35, dated 12th January, 2018, under Sections 15, 25 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Sadar, Jagraon, District Ludhiana (Rural).
3. Brief facts of the case are that the police on 12th January, 2018, during routine patrolling had laid a nakka. A tractor-trolley, without any registration number, stopped about 100 yards before nakka and four persons sitting on the tractor fled away. The said persons were chased by ASI Sayyed Shakil, ASI Sharanjit Singh, HC Jaswinder Singh and HC Darshan Singh. After coming back, ASI Sayyed Shakil and HC Jaswinder Singh were in a position to identify the accused. One of the accused identified by

them was Gurparamjit Singh (petitioner). 85 bags, containing 35 Kg. poppy husk in each bag, total 29 quintal 75 Kg poppy husk, was recovered from the tractor-trolley.

4. Learned counsel for the petitioner submits that it is a case of false implication. The petitioner was not known to the police officials, hence, how they could have identify him. No recovery was made from the conscious possession of the petitioner.

5. Learned State counsel opposes grant of prayer. He submits that the petitioner was declared as proclaimed offender and thereafter arrested on 4th June, 2019. It is submitted that while chasing the persons, police officials were able to identify them. It is further argued that the petitioner is involved in another case under the Act. The tractor-trolley belongs to the petitioner, the registered owner made a statement that the tractor-trolley was sold on an affidavit to the petitioner.

6. However, learned State counsel on instructions from ASI Randhir Singh, informed that challan has been presented and there are thirteen prosecution witnesses. 22nd February, 2022 is the next date fixed before the Trial Court to examine the prosecution witnesses. He further submits that earnest efforts would be made to conclude the prosecution evidence within four months from the next date fixed, as most of them are official witnesses.

7. Huge recovery of contraband has been effected in the present case. As per the case setup the petitioner fled away from the spot. He was identified by the police officials. He is involved in another case under the

Act.

8. No case is made out for grant of bail. Dismissed.

9. There is no doubt, in case there is request made before the Trial Court to accommodate dates for expeditious conclusion of prosecution witnesses, the same would be considered in accordance with law.

(AVNEESH JHINGAN)
JUDGE

10th February, 2022

Pk Kapoor

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**