

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43068-2020 (O&M)

Date of decision : 20.04.2022

Pritpal Singh @ Vicky

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karamjit Singh, Advocate for the petitioner.
Mr. Dhruv Dayal, Sr.DAG., Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.33 dated 04.02.2020 under Sections 22, 61 and 85 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station PS Mandi Gobindgarh, District Fatehgarh Sahib, who is in custody since his arrest on 04.02.2020.

The allegations in the FIR as noticed by the learned Judge, Special Court, Fatehgarh Sahib, in the order dated 10.07.2020 are as under:-

“The case of the prosecution in nutshell is that on dated 4.02.2020 the accused-applicant was intercepted by the police party having being headed by ASI Jagroop Singh, Police Station Mandi Gobindgarh, is stated to have recovered 25 Injections of Buprenorphine of 2 ML each and 25 Injections of Avil of 10 ML each, from the conscious possession of applicant-accused without any permit or license.

Hence, he is stated to have committed the offence punishable under Section 22 of the NDPS Act.”

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. According to him, investigation of the case is complete and the trial is not progressing speedily, as after framing of charges on 07.12.2020, out of total ten prosecution witnesses only four witnesses have been examined so far, therefore, considering the custodial period of the petitioner, he be released on regular bail.

While opposing the prayer, learned State counsel who is assisted by ASI Balbir Singh, submits that the quantity recovered from the petitioner falls within the ambit of commercial quantity, therefore, the petitioner does not deserve the concession of regular bail. He further refers to the custody certificate and submits that the petitioner is involved in other cases as well. He on instructions further states that the case is now fixed for 04.05.2022 before the trial Court for recording remaining prosecution evidence.

After hearing learned counsel for the parties and considering the background of this case, this Court finds that as per the prosecution, the petitioner was carrying commercial quantity of narcotic substance. Apart from it, he is involved in other cases of similar nature i.e. FIR No.120/2019 and and when he was released on bail on 10.02.2021, he was arrested for carrying in his possession 25

injections and present case was registered against him. Besides, the trial is also likely to be concluded in the near future as only six witnesses remain to be examined and the date before the trial Court for recording their testimony is also drawing near.

Resultantly, without meaning any expression of opinion on the merits of the case, no case is made out for releasing the petitioner on regular bail.

Petition is dismissed.

20.04.2022

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No