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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-6115-2022 in/and
CRM-M-51291-2021 (O&M)
Date of Decision:25.02.2022

Harpal Singh

.. Applicant/Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. TPS Bhatti, Advocate for applicant-petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab

...

Manoj Bajaj, J. (Oral)

CRM-6115-2022

The instant application is for pre-poning the date of hearing of the main petition to an early date.

Notice in the application.

At this stage, Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of the respondent-State and does not oppose the prayer.

Application is allowed and the date of hearing is pre-poned to today.

CRM-M-51291-2021 (O&M)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.181 dated 17.07.2021 registered under Section 21(c) NDPS Act, 1985 at Police Station City Tarn Taran, District

Tarn Taran. The petitioner is in custody since his arrest on 17.07.2021.

As per the prosecution, on 17.07.2021, when the police party was on patrol duty, a secret informer delivered the information that one youth having trimmed hair would be coming from Jarmastpur side towards Tarn Taran City on Link Road and having intoxicating substance in his possession and if a search is conducted, he can be apprehended with contraband. Acting upon the said information, the person was apprehended, who on seeing the police had pulled out a polythene carry bag from his right pocket of his pant and threw it on road side. The said person disclosed his name as Harpal Singh. Upon completing the formalities, 274 grams of heroin was recovered from the said carry bag.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the above case and as the investigation of the case is complete, his further custody may not be necessary for any useful purpose. He prays for bail.

The prayer is opposed by learned State counsel assisted by ASI Jaimal Singh, who has argued that the recovered contraband would fall within the ambit of commercial quantity and though the final report has been filed recently on 03.01.2022, but the trial is yet to commence.

After hearing the learned counsel for the parties and considering the above background, this Court is of the opinion that as per prosecution, the petitioner was carrying commercial quantity of narcotic substance and was apprehended on the spot. At this stage, there is nothing to indicate that the petitioner has been falsely implicated and considering the initial stage of the case, as no prosecution witness has been examined so far, this Court does not find it to be a fit case for releasing the petitioner on

regular bail.

Dismissed.

25.02.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No