

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14799-2023
Decided on : 19.09.2023

Manpreet Singh @ Manna

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. H.S.Batth, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

This is the second petition under Section 439 Cr.PC for grant of regular bail in case FIR No.31 dated 01.11.2022 under Sections 21, 23(c), 25, 27(a), 29 of NDPS Act and Section 25 of Arms Act (charges framed under Sections 27A and 29 of NDPS Act and Section 25 of Arms Act) registered at Police Station State Special Operations Cell, Amritsar, District Amritsar.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case as admittedly no recovery of any contraband was effected from him rather, the only recovery shown to have been effected from the petitioner was of .32 bore revolver, which was the licensed weapon of his father. Learned counsel further submits along with the licensed weapon of his father, some currency notes though, were recovered but they were the sale consideration received by his

father after sale of crops. Learned counsel still further submits that the police had got a disclosure statement forcibly recorded of the co-accused qua the involvement of the petitioner in the sale of 35 kgs of heroin, however, the evidentiary value of such a disclosure statement was admittedly of a weak nature. Learned counsel prays that as the petitioner has now been in custody since 01.11.2022 and after the charges were framed, none of the prosecution witnesses have been examined, his further incarceration would serve no useful purpose, hence, he be enlarged on bail.

3. Per contra, learned State counsel while opposing the submissions and prayer made by the counsel opposite has submitted on instructions, that the petitioner is the master-mind behind a big drug mafia and is involved in cross-border smuggling of drugs and weapons; the petitioner after procuring 35 kgs of heroin from across the border had sold it to different persons and it was pursuant to his disclosure statement, the money, earned after the sale of contraband, was recovered from him, which he was claiming as sale consideration of the crops sold. It has been further submitted that the petitioner is involved in three more cases including one, under the NDPS Act, which further points to his involvement in the present case.

4. Heard learned counsel for the parties and perused the relevant material on record.

5. In the case in hand, a secret information was received qua the involvement of the petitioner in the sale of heroin and smuggling of weapons from across the border. Subsequently, a recovery of .32 bore revolver and

drug money amounting to Rs.2,66,000/- was allegedly effected from him. It is a matter of record that three more cases are registered against the petitioner. In view of the criminal antecedents of the petitioner and the nature of allegations levelled, this Court does not deem it fit to extend the concession of regular bail to the petitioner. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

19.09.2023

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No