

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-M-17236-2023

Date of decision: 19.07.2023

Parveen Akhtar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. B.R. Rana-I, Advocate
for the petitioner.

Mr. Vinay Kumar Gupta, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.91 dated 28.06.2022 lodged under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Sadar, District Jalandhar.

2. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the case in hand for having been allegedly found in conscious possession of 2400 intoxicant tablets of Alprazolam and 4500 tablets of Tramadol Hydrochloride. Learned counsel further submits that since investigation is complete and charges were framed on 30.01.2023, his further incarceration would serve no useful purpose as the trial would take considerable time to conclude and he has been in custody since 28.06.2022.

3. Per contra, learned State counsel while opposing the prayer

and submissions made by learned counsel for the petitioner, on instructions, has submitted that the petitioner was specifically named in the secret information which was received by the police. Pursuant thereto, a naka was laid, however, the petitioner succeeded in fleeing away from the spot before leaving his motorcycle at the spot along with the recovered contraband.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The contention of the learned counsel for the petitioner that a false case has been planted upon him cannot be gone into at the stage of deciding a petition under Section 439 of the Cr.P.C. In view of the huge recovery (i.e. 2400 intoxicant tablets of Alprazolam and 4500 tablets of Tramadol Hydrochloride) allegedly effected pursuant to a secret information received wherein the petitioner was specifically named, the petitioner does not deserve the concession of bail.

6. Accordingly, the instant petition is dismissed.

7. 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.

19.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No