

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.210

Case No. : CRM-M-17305-2023

Date of Decision : July 14, 2023

Gurdev Singh		Petitioner
vs.		
State of Punjab		Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

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Present : Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab.

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GURBIR SINGH, J. :

1. Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.13 dated 20.01.2021, under Section 22-C of the NDPS Act, 1985 and Section 25 of the Arms Act, 1959, registered at Police Station Special Task Force, District SAS Nagar (Mohali).
2. As per allegations, 450 grams of heroin along with one pistol and nine live cartridges were recovered by the police officials from a car, in which petitioner and co-accused were coming.
3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 20.01.2021. The trial of the case has not yet completed. The petitioner was apprehended on the basis of secret information but no information to the higher authorities was sent. The search was also not conducted as per rules. Therefore, the petitioner be

released on bail.

4. Learned State counsel has opposed the bail petition by submitting that before recovery, a telephonic call was made to the Reader of AIG, STF Jalandhar and SI Surinder Singh of STF Jalandhar reached the spot. The recovery effected from the petitioner and his co-accused was found to be of commercial quantity. It has also been submitted by learned State counsel that the petitioner is also accused in the other two criminal cases registered against him including one case under the NDPS Act, in which he has already been convicted.

5. Heard.

6. The petitioner is a previous convict in case under the NDPS Act. In the present case also, most of the witnesses have been examined by the prosecution. The recovery from the petitioner and his co-accused is of commercial quantity. Even one pistol with nine live cartridges were also recovered from the car, from which the recovery of contraband was effected, in which petitioner and his co-accused were travelling.

7. Keeping in view the aforesaid facts and circumstances of the case, the petitioner does not deserve the concession of bail.

8. Dismissed.

9. However, learned Trial Court is directed to dispose of the case expeditiously by making earnest efforts and the same be disposed of within three months.

10. Nothing stated herein above shall be construed as an expression of opinion on the merits of the case.

11. Pending applications, if any, shall stand disposed of along with the present petition.

July 14, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.