

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(214-A)

CRM-M-25160-2021

Date of Decision : July 18, 2023

Parmod Kumar**.. Petitioner****Versus****State of Punjab****.. Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Jashandeep Singh Sandhu, Advocate, for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.0010 dated 21.01.2021 registered under Section 22 of the NDPS Act, 1985 at Police Station Bhawanigarh, District Sangrur, Punjab.

2. Learned counsel for the petitioner submits that the petitioner has no connection with the contraband recovered and he was only a passenger in the car and keeping in view the custody undergone by him, he may kindly be extended the benefit of regular bail.

3. Learned State counsel, on the other hand, submits that the contraband in commercial quantity has been recovered as twenty four thousand intoxicating tablets have been recovered, which is commercial quantity, hence, the prayer of the petitioner for the grant of regular bail may

kindly be rejected.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. In the present case, the bail is being sought on the basis of the custody undergone which is approximately two years. The contraband which has been recovered, is commercial in nature. Keeping in view the strict stringent of provisions of Section 37 of the NDPS Act, this Court is not in a position to record a finding that the allegations alleged against the petitioner are prima facie incorrect and in case, he is released on bail, he will not indulge in same activity again so as to grant the concession of regular bail.

6. It may be noticed while considering the bail application of the other co-accused, this Court has already passed an order directing the trial Court to conclude the trial within a period of six months from the next date of hearing.

7. In view of the above, no ground is made out to grant the benefit of regular bail to the petitioner and the present petition is accordingly dismissed.

July 18, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No