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

CRM-M-37057-2022

Date of decision : 07.02.2023

Satpal Singh @ Sattu

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.S.Sidhu, Advocate for the petitioner.

Ms. Shivani Sharma, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.01 dated 01.01.2020 under Sections 22 and 29 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Samana, District Patiala, who is in custody since his arrest on 08.06.2020.

As per the prosecution case, on 01.01.2020, when Police officials were patrolling at Bus Stand Thethal, a secret information was received that Satpal Singh @ Sattu being engaged in selling of intoxicant tablets would be coming in Alto Car bearing No.PB-11-BY-5749 from village Thethal to Bus Stand. Acting upon the same, barricades were laid near bridge of Bhakhra canal village, where a white alto car was seen coming from village Thethal side. The car was signalled to stop, but the accused managed to escape, and 25000 intoxicant tablets of Clovidol-100

SR (25,000 intoxicant tablets) were recovered from the vehicle.

Learned counsel for the petitioner has argued that alleged contraband was recovered from the dickey of the car and petitioner is not the owner of the said vehicle. He further submits that after framing of charges on 22.10.2020, only three prosecution witnesses have been examined so far out of total eighteen witnesses and his co-accused, namely, Amarjit Rajbar has already been released on bail by this Court vide order dated 22.02.2021 (Annexure P-5), therefore, further custody of the petitioner may not be necessary. He prays for bail.

The prayer is opposed by learned State counsel assisted by HC Roop Singh on the ground that the petitioner was driving the car and the contraband was lying in the car, therefore, the petitioner cannot claim parity with his co-accused. Learned State counsel has produced the custody certificate dated 06.02.2023 by way of affidavit of Harcharan Singh Gill, Additional Superintendent Central Jail, Patiala to contend that petitioner is involved in two more cases of similar nature. She prays for dismissal of the petition.

After hearing learned counsel for the parties and considering the above background, this Court finds that the concession of regular bail was extended to the co-accused upon considering his background as he was implicated on the disclosure statement of the petitioner, whereas the petitioner ran away from the spot and was arrested later on. Thus, keeping in view the nature and quantity of the contraband, this Court without meaning any expression of opinion on the merits of the case is not inclined to extend

the concession of regular bail to the petitioner.

Petition is dismissed.

07.02.2023

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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No