

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

**CRM-M-57213-2023
Date of decision : 20.11.2023**

Hakam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. J.S. Jaidka, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No. 59 dated 13.07.2022 under Sections 15, 25, NDPS Act, 1985 registered at Police Station Sadar, Raikot, District Ludhiana.

(2) Allegations against the petitioner are that on 13.07.2022, he was apprehended while driving truck bearing registration No. PB-10-FV-3435 and recovery of 06 quintals of Poppy husk was effected from him.

(3) Contends that petitioner is in custody since 13.07.2022 and there is no other case pending against him. Further contends that petitioner was driving the truck of co-accused-Baldev Singh as daily wager and getting merely Rs.200/- per day; thus, he has no concern with the alleged recovery.

(4) Per contra, learned State counsel has opposed the prayer while submitting that recovery of 06 quintals of Poppy husk was effected from the truck and petitioner was driving the same at relevant point of time.

(5) Heard both sides and perused the paper book.

- (6)

There is an allegation that 06 quintals of poppy husk was recovered from the truck and which was being driven by the petitioner at the time of recovery of alleged contraband.
- (7)

Thus, in view of the rigors of Section 37 of NDPS Act, 1985, the plea of working and/or earning daily wages of Rs. 200/- is not helpful to the petitioner, at this stage.
- (8)

As a result thereof, there is no option except to dismiss the present petition.
- (9)

Ordered accordingly.
- (10)

Pending application(s), if any, shall also stand disposed off.

20.11.2023
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>