



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-7157-2024

Date of decision: 07.11.2024

Paramjit Singh @ Bhola

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Harpreet S. Rakhra, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.82 dated 28.10.2022 under Sections 22-61-85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') (Sections 15-29-31 of the NPDS Act added lateron) registered at Police Station Singh Bhagwantpur, District Rupnagar.

2. Learned counsel for the petitioner submits that even though the petitioner was arrested way back on 28.10.2022, the trial has not yet concluded as only 02 prosecution witnesses out of the 20 cited, have been examined so far. It has still further been submitted that a false recovery of 200 grams of heroin along with 01 kg of poppy husk has been planted upon the petitioner.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on

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instructions from ASI Jarnail Singh, has submitted that the petitioner is a habitual offender and a man of criminal antecedents; he was on bail in the 05 other criminal cases registered against him under the NDPS Act, when he was apprehended at the spot in the present case, pursuant to a secret information received qua his involvement, yet again, in drug trafficking. The aforementioned recovery was thereafter effected from the petitioner after due compliance of all the mandatory provisions of the NDPS Act. Learned State counsel on instructions has not disputed the custody period of the petitioner, however, he has disputed the stage of trial, by submitting that 02 prosecution witnesses stand examined, while 04 have been given up and 14 remain to be examined, thus, the trial would not take much time to conclude. It has also been submitted that in view of the pendency of other criminal cases registered against the petitioner, there is every likelihood that some delay in the conclusion of the trial in the present case could be attributed to those cases.

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

5. *Prima facie*, the petitioner indeed comes across as a habitual offender as it is not for the first time that he has been booked for offences under the NDPS Act. The petitioner is stated to be involved in 05 other cases under the NDPS Act and it was during the pendency of those cases, while he was on bail, he was yet again apprehended on the spot with 200 grams of heroin along with 01 kg of poppy husk. In the facts and circumstances as enumerated hereinabove,



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this Court does not deem it fit to extend the concession of bail to the petitioner.

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.

07.11.2024
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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