



CRM-M-37181-2024

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**236 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**CRM-M-37181-2024  
Decided on : 09.12.2024

Anmol Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**Present : Mr. Bhupinder Ghai, Advocate  
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

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**Manjari Nehru Kaul, J.(Oral)**

1. This is the second petition filed by the petitioner seeking concession of regular bail in case FIR No.318 dated 23.12.2022 under Sections 21 and 29 of NDPS Act, 1985 registered at Police Station Special Task Force, Amritsar.

2. At the outset, a specific query was put by this Court regarding any material change in circumstances warranting the acceptance of the prayer made in the present petition, learned counsel for the petitioner submitted that only 2 out of the 22 prosecution witnesses have been examined so far, rendering the conclusion of the trial in the near future highly improbable.

3. Learned counsel for the petitioner has further argued that the petitioner has been falsely implicated in the present case. Referring



to the allegations levelled in the FIR (Annexure P-2), learned counsel submits that a secret information was allegedly received about the involvement of the petitioner and co-accused Hira Singh in drug trafficking; acting on this information, the petitioner along with co-accused Hira Singh were allegedly apprehended while travelling on a motorcycle leading to recovery of 8 kgs of heroin, which had been wrapped in a polythene envelope inside the *pithu* bag of the co-accused.

4. Learned counsel has asserted that on the face of it, it is a case of false implication, more so, when the petitioner has no previous criminal antecedents. It has been submitted that the petitioner, therefore, be extended the concession of bail as he is the sole breadwinner of his family.

5. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite has emphasised the gravity of the allegations and the huge recovery of contraband. While not disputing the custody period of the petitioner or the stage of the trial, it is submitted that the petitioner and co-accused were apprehended by the police based on credible secret information. Upon their interception, a huge recovery of 8 kgs of heroin was made, which falls under the category of commercial quantity. Learned State counsel has also submitted that the recovery affected from the accused including the petitioner was done after due compliance of all the mandatory provisions of the Act. It has still further been submitted by



the learned State counsel that there was no occasion for the police to falsely implicate the petitioner in the present case and plant such a huge recovery of contraband running into multiple lakhs of rupees.

6. Learned counsel for the State has, therefore, contended that the offence is of a serious nature, given its potential to devastate the youth and undermine the social fabric of the country. It has been submitted that all the witnesses in the present case are police officials and the prosecution would ensure that they appear on each and every date of hearing to get their evidence recorded, hence, the trial would not take much time to conclude.

7. Heard learned counsel for the parties and perused the material placed on record.

8. The undisputed recovery of 8 kgs of heroin, a commercial quantity under the NDPS Act, highlights the gravity of the offence. Such large scale drug trafficking without a doubt poses a significant threat to the youth and has far reaching consequences for society at large.

9. While it is true that the petitioner has been in custody since 23.12.2022 and only 02 prosecution witnesses have been examined out of the 22 cited, these factors are outweighed by the seriousness of the allegations and the magnitude of the contraband involved. The contention of the learned counsel about the petitioner having no previous criminal antecedents cannot diminish the severity of the offence.

10. In the facts and circumstances as enumerated hereinabove,



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this Court does not deem it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition stands dismissed. 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.

11. This Court deems it appropriate to issue directions to the trial Court to make earnest efforts to expedite the trial and conclude it preferably within the next 5 months. The prosecution as well as the defence would also ensure that no unnecessary adjournments are taken; the prosecution would further ensure that all the prosecution witnesses, who in the present case are police officials, appear on each and every date of hearing to get their evidence recorded.

09.12.2024  
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(MANJARI NEHRU KAUL)  
JUDGE

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