



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

CRM-M No.36453 of 2024
Date of decision: 15th October, 2024

Harbans Singh @ Bansa
... Petitioner

Versus

State of Punjab
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.S. Sandhu, Advocate for the petitioner.
Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.337 dated 20.07.2023 under Sections 22, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Barnala, District Barnala.
2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that he has no previous antecedents; the petitioner was just standing with the two co-accused, who are ladies, when the alleged recovery of 980 tablets of Alprazolam (weighing 120 grams) was affected. Learned counsel submits that the trial is unlikely to conclude in the near future as only 2 prosecution witnesses have been examined out of the 9 cited; hence, the petitioner be enlarged on bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has submitted that a specific secret information had been received qua the involvement of the petitioner and the co-accused in drug trafficking; pursuant to the secret information, after due compliance of the mandatory provisions of the NDPS Act, the petitioner along with co-accused was apprehended and the recovery of 980 tablets of Alprazolam (weighing 120 grams) was affected. Learned State counsel has also submitted that only 4 prosecution witnesses remain to be examined as 3 witnesses have already been given up while 2 have been fully examined; the next date of hearing fixed before the trial Court is 16.10.2024 when in all likelihood the prosecution evidence shall stand concluded.

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

5. In the facts and circumstances as enumerated hereinabove, and in view of the huge recovery affected, this Court does not deem it fit to extend the concession of bail to the petitioner, more so, when the trial is nearing conclusion as only 4 prosecution witnesses remain to be examined. The petition as such is 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.

(MANJARI NEHRU KAUL)
JUDGE

October 15, 2024

rps

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