



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M No. 39926-2024 (O&M)
Date of Decision: 21.10.2024

Ramandeep Singh @ Ramma @ RamnaPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vikramjeet Singh, Advocate and
Mr. Robindeep Singh Bhullar, Advocate
for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.26 dated 18.04.2023, registered under Sections 21, 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act') at Police Station Bhadaur, District Barnala.

2. Allegations are that co-accused Mandar Singh @ Mandi was apprehended along with smack weighing 20 grams (non-commercial quantity) and petitioner's name surfaced in the disclosure of said co-accused.

3. Contends that petitioner was not named in the FIR; rather

Mindi. Further contends that the alleged recovery from co-accused-Mandar Singh @ Mandi is 20 grams of smack, which is non-commercial in nature.

4. *Per contra*, learned State counsel vehemently opposed the prayer while submitting that during investigation, petitioner suffered disclosure statement and 850 loose tablets were recovered at his instance. Further submits that petitioner is a hardcore criminal and involved in numerous criminal cases. Again submits that if petitioner is granted bail, there is every likelihood that he shall misuse the concession; hamper the trial and influence the witnesses.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was nominated in the present case on the basis of disclosure made by co-accused-Mandar Singh @ Mandi and during investigation, 850 loose intoxicating tablets were recovered at his instance. Also noteworthy that petitioner has criminal antecedents and involved in number of cases, details of which are as under:-

Sr. No.	FIR No.	Dated	U/S	Name of Police Station
1.	30	12.06.2015	364,323,382,342, 148 read with 149 IPC	Police Station Phool
2.	32	20.06.2015	61 of Excise Act	Police Station Phool
3.	77	05.11.2015	Excise Act	Police Station Phool
4.	86	26.11.2015	Excise Act	Police Station Phool
5.	16	01.03.2016	Excise Act	Police Station Phool
6.	49	14.04.2018	61 of Excise Act	Kanal Colony, Bathinda
7.	81	20.07.2020	25 of Arms Act	P.S. Phool
8.	43	04.04.2022	22 of NDPS Act	P.S. Cantt, Ferozepur
9.	70	19.07.2023	21 and 25 of NDPS Act	Police Station Phool
10.	106	07.12.2018	22 of NDPS Act	P.S. Bajakhana

habitual offender and there is every likelihood that once released on bail, he may again indulge in unlawful activities.

7. The menace of drugs has completely ruined the State of Punjab and which needs to be dealt with sternly. Hon'ble the Supreme Court in ***Parwinder Singh @ Parminder Kumar @ Vicky Vs. State of Punjab***, SLP (Crl.) 12601-2023, decided on 14.12.2023, has held as under:-

“5. Having heard learned counsel for the parties, we are of the considered view that the parameters of granting bail in a case under special statutes like NDPS Act may not be liberally construed in the instant case. We say so taking notice of the fact that the State of Punjab is reeling under the grip of drug menace. There are several drug lords whose roots are identifiable in the State of Punjab, and who operate in the cross-border drug racketing and organized trafficking of narcotic drugs and psychotropic substances. It is a matter of common knowledge that huge cache of illicit drugs is smuggled across the border. Some local Pharmaceutical Industries, State police officials and other affluent people have been suspected to be involved, at occasions, in international drug trafficking. The drug addiction has posed a serious threat to the once vibrant state of Punjab. The Courts, therefore, ought to be highly circumspect while granting bail, especially to a repeat offender.”

8. In view of above, the antecedents of petitioner disentitle him to the relief claimed and as such, there is no option, except to dismiss the petition, at this stage.

9. Ordered accordingly.

10. Above observations be not construed as an expression of opinion on merits of case, in any manner.

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

21.10.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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