



In The High Court for the States of Punjab and Haryana  
At Chandigarh

CRM-M-40871-2024 (O&M)  
Date of Decision:- 30.08.2024

Surinder Singh alias Shindu ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kamal Narula, Advocate, for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

\*\*\*\*\*

| FIR NO. | DATE       | POLICE STATION                   | OFFENCES              |
|---------|------------|----------------------------------|-----------------------|
| 117     | 20.05.2021 | City Jalalabad, District Fazilka | 22 and 29 of NDPS Act |

GURVINDER SINGH GILL, J.

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. As per the case of prosecution, on 20.5.2021 when a police party headed by ASI Makhan Singh was patrolling in the area of Village



Tiawna Kalan, then a clean shaved person was seen riding a scooter who upon noticing the police party tried to turn back, but in the said process fell down. The said person was apprehended on the basis of suspicion and upon inquiry disclosed his name as Surinder Singh @ Shindu. A black coloured polythene envelope was seen lying by the side of the scooter and out of which some intoxicant tablets had scattered on ground and the said tablets were found to be 950 in number. It is further the case of prosecution that upon chemical examination of the recovered tablets, the same were found to contain 'Tramadol Hydrochloride'.

3. Learned counsel for the petitioner submitted that he has falsely been implicated in the present case and that he had earlier been granted interim bail on account of non-receipt of report of FSL and had not ever misused the concession and as such he deserves the concession of bail.
4. Opposing the petition, learned State counsel submitted that it is a case of recovery of 'commercial quantity' of contraband wherein fetters imposed by Section 37 of NDPS Act would be attracted. It has further been submitted that the petitioner has a chequered record having been involved in as many as 6 other cases including 5 cases registered under NDPS Act.
5. This Court has considered the rival submissions addressed before this Court.



6. Having regard to the fact that it is a case of recovery of commercial quantity of contraband and that the petitioner seems to be a habitual offender, no case for grant of bail is made out. However, the prosecution is directed to ensure the presence of the PWs on the dates as may be fixed by the trial Court for recording their statements so that there is no further delay in conclusion of trial.
7. Finding no merit in the instant petition and the same is hereby dismissed.

20.08.2024  
mohan

( GURVINDER SINGH GILL)  
JUDGE

|                            |          |
|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |