



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 53505 of 2022 (O&M)
Date of Decision: 27.05.2024

Raj Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: None for the petitioner.

Mr. Karunesh Kaushal, Assistant Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present (sixth) petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.161, dated 11.10.2019, under Sections 22, 29, 61 & 85 of NDPS Act, 1985, registered at Police Station City Nawanshahar, District SBS Nagar (Punjab), wherein he has been implicated with the allegations of having alleged recovery of 290 loose intoxicating tablets (total weight comes to be about 32 grams) containing salt Buprenorpine Hydrochloride.

[2] Nobody has appeared on behalf of the petitioner for the last four hearings. The position remains the same today as well.

[3] Learned State counsel vehemently opposes the prayer made in the petition, while submitting that the petitioner is involved in three more cases of NDPS Act, while the trial is at the fag end as the same is fixed for recording of defence evidence; thus, prays for dismissal of the present

petition.

[4] I have heard learned State Counsel and gone through the paper-book.

[5] A perusal of the record shows that the for the last four hearings, no one has appeared on behalf of the petitioner and today, the position remains the same as well. Moreover, as per learned State Counsel, prosecution evidence has already been concluded and the case is listed for recording of defence evidence. Further, the recovery involved in the present case falls under commercial quantity, besides it, the petitioner, who is habitual offender, is involved in three more cases of NDPS Act; the details of FIR thereof are as under:

- (a) FIR No. 35/19, under Sections 21, 29/61/85 of NDPS Act, registered at Police Station City Banga;
- (b) FIR No. 129, dated 23.07.2017, under Section 22 of NDPS Act, registered at Police Station Garhshankar; and
- (c) FIR No. 14, dated 25.04.2019, under Sections 21, 27-A & 29 of NDPS Act, registered at Police Station Pojewal.

[6] In view of the above, this Court is not incline to accept the prayer made on behalf of the petitioner in the present petition, the same is dismissed.

May 27, 2024
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(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>