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

**CRM-M No.50289 of 2024
Date of decision: 18.10.2024**

Pardeep Singh**..... Petitioner****versus****State of Haryana****..... Respondent****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Monty Goyal, Advocate
for the petitioner.

Mr. J. S. Arora, DAG, Punjab.

RAJESH BHARDWAJ J.

1. Present second petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying for the grant of regular bail to the petitioner in case FIR No.143, dated 18.06.2023, under Sections 21(c), 22(c), 25 & 29 of NDPS Act, 1985, registered at Police Station Munak, District Karnal, Haryana.

2. As per the facts of the case, the secret information was received about the petitioner that he used to sell intoxicating medicines and would be coming from village Munak to his sister's house at Bal Ragdan. In case of nakabandi, he could be apprehended. Believing the secret information to be reliable, nakabandi was laid and the petitioner was apprehended. On his search, 240 strips of Alprazolam tablets having



50 tablets in each strip and thus the total 12000 tablets Alprazolam having total weight of 2 kg 213 grams of contraband was recovered from him. The petitioner is in custody since 18.06.2023. The petitioner approached the Court of learned Additional Sessions Judge, Karnal praying for the grant of regular bail. However on hearing both the sides, the learned Additional Sessions Judge, Karnal finding no merit, dismissed the same vide order dated 21.03.2024. The petitioner earlier approached this Court by way of filing CRM-M-32222 of 2024 praying for the grant of regular bail. However after hearing, the same was allowed to be dismissed as withdrawn vide order dated 12.07.2024. Hence the petitioner has again approached this Court praying for the grant of regular bail by way of filing the present second petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in this case. He has submitted that the petitioner is in custody since 18.06.2023 and he is no more required for any further investigation. He has submitted that the prosecution story is totally false and concocted one and thus, the petitioner deserves to be granted bail.

4. Custody certificate of the petitioner dated 15.10.2024 has been filed by learned State counsel today in the Court and the same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the contraband recovered from the petitioner is in



commercial quantity and thus no ground for granting the bail to the petitioner is made out and the present petition deserves to be dismissed.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the earlier petition filed by the petitioner praying for the grant of bail was withdrawn on 12.07.2024 and the present petition has been filed after about 03 months from the date of withdrawal of the earlier petition.

7. Thus this Court does not find any change in the circumstances which would entitle the petitioner for the grant of regular bail. Moreover the heavy recovery of contraband made from the petitioner falls under the commercial quantity and thus no case for the grant of bail to the petitioner is made out and hence the present petition is dismissed.

(RAJESH BHARDWAJ)
JUDGE

18.10.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No