

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.52754 of 2023
Date of decision: 12th January, 2024

Jora Singh
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Karanjeet S. Brar, Advocate for the petitioner.
Mr. Mohit Kapoor, Addl. 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.52 dated 18.05.2023 under Sections 21, 29, 27-B of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City 2 Abohar, District Fazilka.
2. Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the case in hand for having been found in possession of 18 grams of Heroin along with cash amounting to ₹ 14,500/- being drug money and a weighing scale. He submits that since the recovery which has been planted upon the petitioner is non-commercial, his further incarceration would serve no useful purpose, more so as now charges have also been framed.
3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has

submitted that the petitioner is a habitual offender as he is involved in three other cases under the NDPS Act. On further instructions, he has submitted that the petitioner was apprehended at the spot on suspicion and recovery of 18 grams of Heroin effected from him. It has also been submitted that the petitioner was apprehended while he was on bail in the other cases registered against him under the NDPS Act, which clearly indicates that he had misused the concession of bail which had been granted to him.

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

5. This Court, in the facts and circumstances as enumerated hereinabove, particularly the criminal antecedents of the petitioner, does not deem it fit to extend the concession of bail to the petitioner. Moreover, only 10 witnesses have been cited by the prosecution, and thus, the trial will not take much time to conclude as the next date of hearing fixed before the trial Court is in March, 2024 when the prosecution evidence is likely to commence. 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

January 12, 2024
rps

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