

2222024:PHHC:025346

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53071-2023

Date of Decision: February 22, 2024

PARGAT SINGH

Versus

STATE OF PUNJAB

.....Petitioner

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vijay Lath, Advocate for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 0012 dated 19.01.2023 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 27 and 29 of NDPS added later on) at Police Station Nurpur Bedi, Tehsil Sri Anandpur Sahib, District Rupnagar wherein, the petitioner has been implicated with the allegation that he was the driver of a motor cycle on which one co-accused namely Balvir Singh was pillion rider and on having seen the police party, co-accused/Balvir Singh threw away a polybag carrying 14 ampoules (2 ml each) of Leegesic containing salt Buprenorphine .
2. Learned counsel for the petitioner submits that in the present case the involvement of the petitioner is highly debatable as no recovery was effected from the petitioner and the poly bag was thrown by co-accused namely Balvir Singh who was a pillion rider. He further submits that considering the fact that the petitioner is already behind the bars for the past 1 year and 1 month by now, he deserves the concession of bail.

3. The prayer made herein has been opposed at the instance of learned State counsel while referring to the involvement of petitioner in five more cases registered under the provisions of NDPS Act as well as IPC,

4. I have heard learned counsel for the parties and gone through the paper book. I am unable to find substance in the submissions made on behalf of the petitioner.

5. In the present case, the custody of the petitioner is only 1 year and 1 month, besides it, he is also involved in 5 more cases under the provision of NDPS as well as IPC and the quantity of recovery effected is commercial in nature. Considering the nature of allegations levelled against the petitioner besides its impact on the society at large, this Court does not deem it proper to grant the concession of regular bail to the petitioner at this stage, as such the prayer made herein is declined.

22.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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