

[230] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54222-2023

Date of Decision : 10.01.2024

Lovepreet Singh @ Lav

...Petitioner

versus

State of Punjab

....Respondent

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Abhishek Jindal, Advocate for the petitioner.
Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

[1] Custody certificate dated 09.01.2024 has been filed in Court today. The same is taken on record.

[2] Status report has already been filed by the respondent-State.

[3] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.9 dated 09.01.2023 under Sections 22 & 29 of the NDPS Act, registered at Police Station City-1, Abohar, Punjab.

[4] As per prosecution allegations, 1,25,000 intoxicating tablets, which included 1,10,000 tablets of Cypremal 100 SR and 15,000 tablets of Covidol SR, packed in 50 boxes were recovered from co-accused Kulwant Singh s/o Gurmej Singh @ Maija Singh and Lovepreet Singh @ Lav (petitioner herein) son of Balwinder Singh. It is alleged that in his disclosure statement, Kulwant Singh revealed that he had bought the recovered contraband from Bharat Bhai and that the same was to be supplied to Raj Singh. On the basis of the said disclosure statement, Bharat Bhai and Raj Singh were nominated in the FIR. Bharat Bhai is absconding. Petitioner was

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arrested on 09.01.2023.

[5] It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated; that co-accused Raj Singh has already been allowed bail by this Court vide order dated 25.09.2023 passed in CRM-M-25648-2023; that the petitioner is in custody for the last more than 11 months and that he is not involved in any other case and so he be allowed bail.

[6] Learned State Counsel has strongly opposed the bail petition by pointing towards the heavy recovery of contraband, falling in the commercial category, effected from the petitioner and the co-accused. Learned State Counsel further submits that the case of the petitioner is on different footing than the co-accused Raj Singh, who was allowed bail.

[7] Arguments heard.

[8] It is the petitioner from whom the recovery of commercial category of contraband was effected. As far as, Raj Singh, who was allowed bail by this Court is concerned, the only attribution to him was that the contraband was to be supplied to said Raj Singh. Thus, the petitioner cannot claim parity with co-accused Raj Singh.

[9] Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this Court is not inclined to grant benefit of bail to the petitioner.

[10] Dismissed.

(DEEPAK GUPTA)
JUDGE

10.01.2024
'Rajneesh'