



CRM-M-54323-2024 (O&M)

-1-

295

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

CRM-M-54323-2024 (O&M)

Date of Decision:- 06.11.2024

Deepak alias Jatt

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sandeep Tanwar, Advocate
for the petitioner.

Mr. Gautam Thapar, AAG, Punjab.

AMARJOT BHATTI, J.

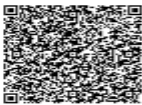
1. Petitioner – Deepak alias Jatt has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for seeking *interim* regular bail to petitioner for 30 days to attend marriage of his real sister Avnish as well as his own marriage, which are going to take place on 09.11.2024 and 10.11.2024 (Annexure P-2) respectively in case FIR No. 78 dated 18.06.2024 under Section 18, 29 and 61 of NPDS Act, registered at Police Station Lalru, District SAS Nagar (Mohali) (Annexure P-1).

2. Learned counsel for petitioner pointed out that he was falsely implicated in this case. There is marriage of sister of petitioner as well as his own marriage. In support of this, wedding card is placed on record as Annexure P-2. Petitioner will surrender after 30 days. Therefore, he may be granted concession of *interim* regular bail.

**CRM-M-54323-2024 (O&M)****-2-**

3. Notice of petition was given to State. Status report is filed, confirming marriage of sister of petitioner as well as his own marriage. Statement of Jaswinder Kaur – Sarpanch is also recorded, which is Annexure R-2/T. It is pointed out that present petitioner was apprehended on 18.06.2024 at about 01:45 PM, while travelling in car make XUV bearing registration No. PB-07-BA-5451 and from said vehicle 4 Kg of Opium falling in commercial quantity was recovered. On 20.06.2024, dope test of both accused was conducted from Civil Hospital, Phase-6, SAS Nagar and test of result came out to be positive. Accordingly, offence under Section 27 of NDPS Act was added vide DDR No. 41 dated 21.06.2024. Sample parcels were checked in the office of Forensic Science Laboratory, Phase-4, SAS Nagar and report is Annexure R-1. It is further pointed out that even brother of petitioner namely Amandeep Singh is involved in another FIR No. 0132 dated 23.09.2024, under Section 18(C) of NDPS Act and from his possession 3 Kg of Opium was recovered. During investigation, present petitioner was also nominated on the basis of disclosure statement. In the light of this, *interim* regular bail of present petitioner was opposed.

4. I have considered the aforesaid facts. In the case in hand, present petitioner is involved in FIR No. 78 dated 18.06.2024 under Section 18, 29 and 61 of NPDS Act, registered at Police Station Lalru, District SAS Nagar (Mohali) and from him alongwith co-accused, 4 Kg of Opium falling in commercial quantity was recovered. Report of FSL is Annexure R-1. Dope test conducted on him came out to be positive and offence under Section 27



CRM-M-54323-2024 (O&M) -3-

of NDPS Act was added. Present petitioner is behind the bars since 18.06.2024. He is involved in another FIR registered against his brother in which he is nominated. Considering the aforesaid factual position, it is highly improbable how marriage of present petitioner was fixed for 10.11.2024.

Keeping in view the antecedents of petitioner and aforesaid factual position, I do not find a fit case for grant of *interim* regular bail to petitioner and accordingly, petition filed by him is dismissed.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

06.11.2024
lalit

(AMARJOT BHATTI)
JUDGE

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