

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

109+222

CRM-M-640-2024 (O&M)
Date of decision: 29.02.2024

AKHIL SABHARWAL @ PRINCE

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. S.S. Saron, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.48 dated 24.05.2023 (Annexure P-1), under Sections 22 and 61 of the NDPS Act, 1985, and, under Section 25 of the Arms Act, 1959, registered at Police Station Division 4, District Ludhiana.
2. Short reply dated 19.02.2024, by way of affidavit of Akarshi Jain, IPS, Assistant Commissioner of Police (Central), Ludhiana has been filed on behalf of respondent-State, which is taken on record. A copy of the short reply has also been supplied to the opposite counsel.
3. The learned State counsel has placed on record the custody certificate, as issued by the Superintendent of Central Jail, District Ludhiana, and, the same is taken on record. Furthermore, he has, on instructions imparted to him by the official concerned, informed this Court that the charges have not been

framed so far.

4. What emanates from the record available before this Court, is that, the alleged recovery i.e. 260 grams of heroin, as effected from the petitioner, falls within the ambit of "commercial quantity" and upon checking a weighing scale, Rs.11 lakhs of drug money, and 02 pistols of .32 bore along with 06 live rounds were recovered from the present petitioner. Moreover, a perusal of the custody certificate reveals that the petitioner is involved in 06 other criminal cases, out of which, two cases are registered under the NDPS Act.

5. In view of the above, especially taking into account the criminal antecedents of the petitioner, coupled with the fact that the alleged recovery falls within the domain of "commercial quantity", this Court is not inclined to grant the asked for relief of regular bail to the petitioner, at this stage. Consequently, the instant petition is **dismissed**.

6. All pending miscellaneous application(s), if any, stand disposed of accordingly.

29.02.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No