

S. No.230

2024:PHHC:037065

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

CRM-M-63756 of 2023

Date of Decision:14.03.2024

**Shinderpal Singh alias Shinder alias
Chhinderpal Singh**

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gurvir Kaur Gill, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.0196 dated 01.09.2023 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') at Police Station Dharamkot, District Moga.

As per prosecution allegations, during patrolling, policy party apprehended the petitioner and co-accused on 01.09.2023. They threw polythenes from the pockets of their respective pants. Petitioner was found to be in possession of 50 intoxicating tablets. On analysis, the salt of the tablets was found to be Atizolam and the weight of the contraband was found to be 6.5 grams i.e. much higher than the commercial quantity which starts from 2.5 grams.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that he is in custody for the last more than 06 months and that the trial may take time to conclude and so, he be allowed bail.

Learned State Counsel has opposed the bail petition by pointing out not only towards the huge quantity of contraband as recovered from the petitioner which falls in the commercial category, but also towards the criminal antecedents

of the petitioner. As per the custody certificate, the petitioner is already a convict in a case involving Section 376 IPC. Besides, he is also undertrial in three more cases, one of which pertains to the NDPS Act.

Having regard to the submissions made by learned State Counsel, particularly the criminal antecedents of the petitioner, who is already convict and also the huge quantity of contraband as allegedly recovered from the petitioner, but without commenting anything on the merits of the case, this Court is not inclined to grant benefit of regular bail to the petitioner.

Dismissed.

March 14, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No