



CRM-M-35868-2024;
CRM-M-40313-2024 and
CRM-M-3961-2024

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

204

CRM-M-35868-2024
Date of decision: 29.01.2025

Rupinder Singh

... Petitioner

Vs.

State of Punjab

.... Respondent

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CRM-M-40313-2024

Jagroop Singh

... Petitioner

Vs.

State of Punjab

.... Respondent

204-3

CRM-M-3961-2024

Gurmeet Singh

... Petitioner

Vs.

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present :- Mr. K.S. Brar, Advocate
for the petitioner in CRM-M-35868-2024.

Mr. Angad Chahal, Advocate
for the petitioner in CRM-M-40313-2024



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Mr. Lovepreet Singh Sidhu, Advocate for
Mr. Harpreet Kaur, Advocate
for the petitioner in CRM-M-3961-2024.

Mr. Puru Jarewal, AAG, Punjab.

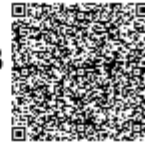
SUVIR SEHGAL J. (ORAL)

1. This order shall dispose of the above noted three petitions whereby the accused have filed separate petitions seeking grant of regular bail in:-

FIR No.	Dated	Police Station	Section
51	17.06.2021	Sadiq, District Faridkot, Punjab	22(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short “NDPS Act”) and Section 420, 467, 468 and 471 of IPC which were added later on.

2. For the sake of convenience factual position is being taken from CRM-M-35868-2024.

3. Version of the prosecution is that during routine patrolling on 17.06.2021, information was received that Jagroop Singh (petitioner in CRM-M-40313-2024) along with a Gurmeet Singh (petitioner in CRM-M-3961-2024) and Rupinder Singh (petitioner in CRM-M-35868-2024) are travelling in a 18 tyre trollea and smuggling drugs from Rajasthan for supply in villages. A barricade was erected, the vehicle was intercepted and all the three accused were found travelling in the trollea. On search, 1,80,000 intoxicating tablets containing salt tramadol were recovered from a cavity in the truck.



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4. Counsel for the petitioners has contended that the petitioners have been falsely implicated. Accused Jagroop Singh and Rupinder Singh have clean antecedents. It has been urged that the story of the prosecution is highly improbable as it is not possible to transport such a huge consignment of tablets in a vehicle. An argument has been raised that the mandatory provisions of the NDPS Act have been violated during search and seizure. Counsel has asserted that as the detention of the petitioners is more than 3 years each and there is a remote possibility of an early conclusion of the trial, they deserve to be released on bail.

5. Per contra, learned State counsel has opposed the petition and has filed separate custody certificates of all the three petitioners. He has submitted that the total weight of the contraband recovered from the petitioners has been found to be 64 kg. He has stated that the trolla was owned by Veer Singh and as it was being driven on forged registration papers, offences under Sections 420, 467, 468, 471 of IPC have been added. He states that on their disclosure statement, Babu Lal, Gopal and Kulwinder were nominated as an accused and Section 29 of the NDPS Act, was added against them. He asserts that both Rupinder Singh and Jagroop Singh had approached this Court at an earlier point of time and their petitions for grant of regular bail were withdrawn by them after they did not succeed in convincing the Court.

6. I have heard counsel for the parties and considered their respective submissions.

7. An exceptionally huge quantity of contraband has been recovered from the possession of the petitioners, who have not been able



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to give any explanation. Mere fact that they have been in custody for the last more than 3 years, is not sufficient to consider their petition for grant of regular bail in view of the stringent conditions laid down in Section 37 of the NDPS Act. Release of the co-accused, who have been arraigned on the basis of disclosure statement, will not give any benefit to the petitioners, who have been found in conscious possession of the contraband.

8. Without examining the merits of the contentions raised by counsel for the petitioner, this Court is of the view that no ground is made out to exercise the discretionary power vested in the Court. Finding no merits in the petitions, these are dismissed.

9. It is clarified that nothing said herein shall be construed as an expression of opinion on the merits of the case.

29.01.2025
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No