

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

CRM No.M-11129 of 2015

Date of decision: 24.04.2015

Basant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Jashandeep Singh, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab

Jitendra Chauhan, J. (Oral)

In this second petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.4, dated 03.01.2014, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Talwandi Sabo, District Bathinda.

It is contended that the petitioner has been falsely implicated in the instant case due to party faction. No independent witness was joined at the time of alleged recovery of contraband. The petitioner is in custody since 03.01.2014.

On the other hand, the learned State counsel opposes the

prayer of the petitioner and states that 100 Kg. of poppy husk was recovered from the conscious possession of the petitioner which is commercial in nature. Therefore, the petitioner is not entitled for regular bail.

Heard.

Perusal of the record would reveal that the earlier petition filed by the petitioner was dismissed as withdrawn vide order dated 23.09.2014. In the instant case, as per FSL report commercial quantity of 100 Kg. of poppy husk was recovered from the petitioner and he is also involved in another FIR No.177 dated 30.10.2014 under Section 18 of the Act, Police Station Civil Lines, Bathinda.

Considering the fact that the petitioner is involved in another FIR and being a commercial quantity recovered from the petitioner, no case is made out for bail at this stage.

Dismissed.

24.04.2015

ashok

(JITENDRA CHAUHAN)
JUDGE