

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

Crl.Misc.No.M-1852 of 2015(O&M)

Date of Decision : 23.04.2015

Rattan Singh

....Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. O.P.Kamboj, Advocate for
 Mr. S.P.S.Sidhu, Advocate for the petitioner

Mr. P.J.S.Hundal, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of bail in terms of Section 439 Cr.P.C in case FIR no. 3 dated 3.1.2014 registered under Sections 21, 61, 85 of the NDPS Act at Police Station City Taran Tarn, District Taran Tarn.

Petitioner has been found to be in possession of 1 kg Heroine.

Learned counsel for the petitioner states that its a case of false implication which would be evident from the declaration made by the Panchayat in a Panchnama proclaiming petitioner's innocence. Besides, it was contended that petitioner was picked up and detained illegally by the police which led to the filing of a Habeas Corpus petition by his son and as a matter of fact an inquiry conducted under the orders of this Court finding the fact to be correct. It is stated that the recovery has been foisted upon him on account of the aforesaid.

In the considered view of this Court, the plea of false implication on the aforesaid basis pleaded by the petitioner would be a

matter of evidence; another collateral material which may come on record.

For the present place, plea cannot be accepted in view of the heavy recovery of 1 kg of heroine from the petitioner.

For the aforesaid reasons, I am of the view that it is not a fit case where this Court would grant concession of bail considering the nature and quantity of the contraband.

Hence, dismissed.

April 23, 2015
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(Mahesh Grover)
Judge