

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21887 of 2015

Date of decision : July 14, 2015

Ashok Kumar @ Kala

... Petitioner

vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.K. Gupta, Advocate for the petitioner.
Mr. P.S. Ghuman, Addl. A.G. Punjab.

Surinder Gupta, J

As per case of prosecution, the petitioner was apprehended by the police of Police Station Division No.2 Pathankot on 23.11.2014 and 200 gram intoxicant powder was recovered from his possession, which as per report of Chemical Examiner was diphenoxylate hydrochloride 2.50%, which falls under the commercial quantity.

Learned counsel for petitioner submits that it is a case of false implication. The petitioner has no previous history of being involved in such type of cases.

Learned State counsel, on the instructions from SI Tarlok Singh, submits that the challan in this case has been presented by the police; charge has been framed; five prosecution witnesses have been examined and only two witnesses remain to be examined.

In the bail application, this court is not required to scrutinize prosecution evidence to reach a conclusion about veracity of prosecution case.

Keeping in view the fact that case is at very advance stage of disposal, this petition is dismissed.

**(Surinder Gupta)
Judge**

July 14, 2015
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