

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.

Crl.Misc. No.M-26648 of 2015  
Date of Decision : 1.9.2015

Munish Bhargav @ Manish

.....Petitioner

Vs.

State of Punjab

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. Ravi K. Mattoo, Advocate for the petitioner.  
Mr. D.S. Virk, AAG, Punjab.

...

1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Petitioner seeks bail pending trial in FIR No.72 dated 14.6.2012 under Sections 18/61/85 of N.D.P.S. Act, registered at Police Station Julka, Distt. Patiala.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. Even the report of chemical examiner is in favour of the petitioner. He also places reliance on the order dated 11.3.2015 passed by this court in Crl. Revision No.373 of 2015 (Annexure P-3). He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Sham Lal, Police Station Julka, Distt. Patiala, submits that a heavy recovery was effected from the petitioner i.e. 10 kg. of opium. Since the

supplementary report was sought from the Forensic Science Laboratory, some delay has taken place in the trial, but now the trial would be concluded at an early date. He prays for dismissal of the present petition.

Having heard learned counsel for the parties and after going through the record of the case, this court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for bail pending trial. It is so said because a huge quantity of contraband has been recovered i.e. 10 kg. of opium. So far as the order Annexure P-3 is concerned, that will be the exclusive domain of the learned trial court to appreciate the quality of evidence, which is likely to be brought on the record by the prosecution.

In view of the above and without commenting anything further on the merits of the case at this stage, lest it should prejudice the rights of either of the parties, no case for bail pending trial is made out.

Dismissed.

1.9.2015  
GS

(RAMESHWAR SINGH MALIK)  
JUDGE