

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-32117 of 2015

Date of Decision: October 15, 2015

Harchand Singh @ Jassa

....Petitioner

Versus

State of Punjab.

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Swarn Tiwana, Advocate
for the petitioner.

Mr.Shilesh Gupta, Addl.A.G.,Punjab

Rajan Gupta, J (Oral)

This is a petition under Section 439 Cr.P.C seeking regular bail in a case registered against the petitioner under Sections 15/61/85 of NDPS Act and 25/54/59 of Arms Act at Police Station, Khamanon, District, Fatehgarh Sahib vide FIR No.97 dated 13.7.2015.

Learned counsel for the petitioner submits that recovery of contraband effected from the petitioner is non-commercial in nature. He is in custody for almost three months. He deserves to be enlarged on bail.

Prayer has been opposed by learned State counsel. According to him, from the vehicle, which was intercepted by the police, recovery of two bags of poppy husk was effected each containing 28 Kgs. He further submits that only single recovery memo was prepared and recovery of contraband was found to be commercial in nature.

I have heard learned counsel for the parties.

On 13.7.2015, vehicle coming from the side of village Majri was intercepted by the police. The accused tried to reverse the car and

flee. They were, however, caught by the police officials and search of the car was made. Two persons were found sitting in the car. They were carrying 56 Kgs of poppy husk in two separate bags. According to State counsel, a country made pistol was also recovered from co-accused-Avtar Singh.

Keeping in view the commercial nature of contraband recovered from the vehicle, I am of the considered view that petitioner is not entitled to concession of bail.

Dismissed.

(Rajan Gupta)
Judge

October 15, 2015
BB