

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

CRM-M-14115 of 2016

Date of Decision: July 04, 2016

Sandeep Sharma @ Gora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Amit Kumar Walia, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner Sandeep Sharma @ Gora in this regular bail application under Section 439 Cr.P.C. are that on 30.11.2014 police party headed by ASI Amarjit Singh apprehended two persons coming on a motorcycle No. PB 13-Z-2928 make Hero Honda Splendar and which vehicle was being driven by accused Gurinder Singh and the present petitioner was a pillion rider. From the *lifafa* tied on the handle of the motorcycle intoxicating tablets 66 strips of Alprazom 0.50 with each strip having 10 tablets and 18 strips of capsules Spasmo Proxyvon plus with each strip containing 8 capsules were recovered. The contentions of the counsel for the petitioner that the petitioner is a pillion rider and cannot be fastened with any vicarious liability as the driver of the motorcycle was at fault, if any, are opposed on the grounds by the State

counsel that the commercial quantity of contraband has been recovered which disentitles the petitioner to any relief.

Without feeling necessity to advert onto the merits, the quantity of the commercial contraband having been recovered and the fact that the culpability, if any, of the petitioner is subject matter of evidence and cannot be commented at this juncture, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

July 04, 2016
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