

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

**CRM-M-42983-2016  
Date of decision : 08.12.2016**

GURMEJ SINGH

..... Petitioner

versus

STATE OF PUNJAB

..... Respondent

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present : Mr. Rajesh Kapila, Advocate  
for the petitioner.

Ms. A.K.Khurana, Addl. A.G., Punjab.

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**AJAY TEWARI, J. (Oral)**

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.43 dated 24.03.2016 registered under Section 21 of NDPS Act at Police Station-Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner argued that from the fact of the case and the material which has been placed on the record it is a clear case where false recovery was foisted upon the petitioner and an innocent person has now been in custody for the past more than 08 months.

Custody certificate has been filed by way of affidavit of Mr. Ajmer Singh, Superintendent Central Jail, Ferozepur and the same is taken on record.

Copy has been supplied to the opposite party.

Learned Addl. A.G has accepted the fact regarding custody and has further argued that the issue of false recovery cannot be gone into by this Court but the recovery is of 300 gms of heroine and in this view of large recovery it is not appropriate to grant bail to the petitioner.

I agree with the argument of the learned Addl. A.G. In these circumstance, the petition is dismissed at this stage.

**December 08, 2016**  
anuradha

**(AJAY TEWARI)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No