

CRM-M-43008-2016

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

CRM-M-43008-2016

Date of decision : 08.12.2016

HARJINDER SINGH

..... Petitioner

versus

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Ms. Riffi Birla Advocate
for the petitioner.

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

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 05 months.

Custody certificate has been filed by way of affidavit of Mr. Jashandeep Singh, Deputy Superintendent Sub-Jail, Fazilka 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.

(AJAY TEWARI)
JUDGE

December 08, 2016
anuradha

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No