

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

**CRM-M No.5940 of 2016 (O&M)
Date of Decision: 07.04.2016**

Ravi Kumar

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Madan Sandhu, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Parshotam Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner/accused-Ravi Kumar in case FIR No.18 dated 18.02.2015, under Sections 22/25 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Boha, District Mansa.

As per the allegations, the petitioner/accused was apprehended at the spot while driving a Car and recovery of 28 vials of Rexcof Cough Syrup of 100 ML each was made.

The petitioner is stated to be in custody since 18.02.2015.

It is submitted that the police procured an affidavit on the same day i.e. 18.02.2015 from the previous owner of the Car, namely, Chamkaur Singh regarding sale of the Car. It is further submitted that the said Chamkaur Singh has not been cited as a witness and, therefore, no offence is made out.

After hearing learned Counsel for the petitioner, the arguments raised is untenable.

Concededly, the petitioner was sole occupant of the Car and the huge quantity of 28 vials of Rexcof were found in his conscious possession, lying on the adjacent seat of the driver, therefore, the question regarding ownership

is irrelevant since person of normal prudence would know a huge quantity lying next to him.

In view of the above, no case for grant of regular bail to the petitioner is made out.

Accordingly, the present petition is dismissed.

April 07, 2016

Gagan

(JASWANT SINGH)
JUDGE