

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

CRM-M-1634 of 2017 (O&M)

Date of decision : 27.01.2017

Gurwinder Singh @ Ginder @ Gora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.74 dated 31.05.2015, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act (for short 'the Act'), at Police Station City Kotkapura.

It has been averred in the petition that the petitioner has been falsely implicated in the present case. The petitioner is in custody since 31.05.2015.

At the time of passing the impugned order dated 13.10.2015, the FSL report had not been received. However, during the pendency of the present petition, the FSL report dated 09.02.2016 has been received. As per the report, the intoxicant powder allegedly recovered from the petitioner,

contains the salt 'Alprazolam' and the quantity i.e. 300 grams which is commercial in nature.

Heard.

Considering that the alleged recovery is commercial quantity and this is second bail petition, this Court does not find any fresh circumstances in favour of the petitioner to grant the relief of bail.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

27.01.2017

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: /Yes / No