

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

**CRM M-2175 of 2017**

**Date of decision : 27.02.2017**

Dharamveer Singh @ Dharma

....Petitioner

V/s

State of Haryana

....Respondent

**BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Bijender Dhankar, Advocate for the petitioner.

Mr. Rohit Arya, Asst. A.G. Haryana.

**RAJAN GUPTA J.**

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 49 dated 07.03.2014 under sections 15/16/27-A/61/85 of the NDPS Act at Police Station Kalanwali District Sirsa.

Learned counsel for the petitioner submits that petitioner was apprehended on the disclosure statement of co-accused which is inadmissible in evidence. He has been in custody for considerable period, thus he deserves to be enlarged on bail.

Learned State counsel has opposed the prayer. He submits that quantity of contraband recovered is commercial in nature.

I have heard learned counsel for the parties.

As per the prosecution version, accused Jagtar Singh and Sukhdev Singh were arrested on the spot and recovery of 400 kgs of poppy husk was effected from them. Investigation ensued and on the disclosure statement of accused Lakhwinder Singh, name of the petitioner figured who

was dealing in selling of contraband. Quantity of contraband recovered from the accused being commercial in nature, Section 37 of the Act would be attracted. Trial is still at its crucial stage. I, thus, find no ground for enlarging the petitioner on bail. Dismissed.

February 27, 2017

*Ajay*

(RAJAN GUPTA)  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |