

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

CRM-M-34378 of 2017 (O&M)

Date of decision: 31.10.2017

Gurmej Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. I.P.S. Kohli, Advocate
for the petitioner.

Ms. Anju Arora, Addl. A.G., Punjab
assisted by HC Mukhtiar Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.43 dated 24.03.2016, registered under Section 21 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), at Police Station Sadar Fazilka, District Fazilka.

It is contended that recovery of alleged contraband has been planted upon the petitioner. The petitioner was not the owner of alleged vehicle from which the recovery was effected. Co-accused, namely Harjinder Singh has already been admitted to bail by this Court, vide order dated 30.08.2017. The petitioner is in custody since 24.03.2016.

On the other hand, the learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the record.

This is the fourth bail petition filed on behalf of the petitioner. The earlier bail petitions were dismissed on merits, by virtue of orders dated 17.08.2016, 08.12.2016 and 19.04.2017. Allegedly 300 grams of heroin was recovered from the petitioner which falls under commercial quantity. The learned counsel for the petitioner has not been able to point out any fresh circumstance in favour of the petitioner. Keeping in view the quantity being commercial in nature and in view of the bar as provided under Section 37 of the NDPS Act, no case for grant of relief sought, is made out.

Dismissed.

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

31.10.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No