

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

CRM-M-3697 of 2017 (O&M)

Date of decision: 13.02.2017

Richhpal Singh @ Rachpal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Monty Goyal, Advocate for
Mr. AGS Dhillon, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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.249 dated 08.06.2015, registered under Sections 420, 468, 201 of the Indian Penal Code (for short 'IPC'), Sections 15, 25, 27-A, 29 and 31 of NDPS Act and Section 25 of Arms Act, at Police Station Pehowa, District Kurukshetra.

It is contended that neither the petitioner was arrested from the spot nor any recovery of contraband was effected from him. has been falsely implicated in the instant case. The conclusion of trial will take a long time. The petitioner is in custody since 30.07.2015.

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

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

A bare perusal of the record would reveal that a huge quantity of poppy husk i.e. 18928 kgs was recovered from the house belongs to the petitioner. Keeping in view the fact that the quantity allegedly recovered in the instant case is 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.

13.02.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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