

Sr. No.213

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-5824 of 2017 (O&M)

Date of Decision:03.04.2017

Balraj

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Ms. Aashma Gill, Advocate for
Mr. Aman Pal, Advocate,
for the petitioner.

Mr. C.S.Bakhshi, Additional A.G. Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.99 dated 14.07.2016, under Sections 21(B), 21(C), 22(A), 22(C) and 29 of the NDPS Act and Section 120-B of IPC, registered at Police Station Ismailabad, District Kurukshetra.

The alleged recovery effected in the present case would certainly be construed as commercial and was to the following effect:

188 pouches of Hydrochloride Tablets (Microlit), in which 100 tablets in the per pouch, total 18800 tablets were found in the black coloured polythene, 112 strips containing 20 tablets each strip total 2240 tablets of Diphenoxylate Hydrochloride Tablets (Microlit), 11385 tablets of Alprazolam Tablets IP Brand Name ALDIX-0.5, RESTYL 0.5 MG, ALPRA-0.5. 980 tablets of Nitrazepam Tablets IP, 25 bottles of Batch No. 620-130290 of Codeine Phosphate (COREX-100 MI) and 32 bottles of Batch No. 620-130180 of Codeine Phosphate (COREX 100 MI).

However, the alleged recovery noticed hereinabove was from inside the counter of a shop being run by main accused, namely, Bharat Lal and who is in custody.

Insofar as the present petitioner is concerned, it is the case of the prosecution itself that he was a mere employee at the shop.

Petitioner was arrested on 13.07.2016.

Investigation in the case is complete, challan stands presented and even charges have been framed.

Trial is stated to be at the very initial stage.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Kurukshetra.

Disposed of.

03.04.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No