

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

CRM-M-8641 of 2017 (O&M)

Date of decision: 25.04.2017

Pritpal Singh @ Prita

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.K. Gupta, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

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 FIR No.97 dated 24.05.2015, registered under Sections 15 & 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Jagraon, District Ludhiana.

It is contended that the petitioner was neither the owner nor he was driving the canter in which allegedly the contraband was recovered. In fact the petitioner was picked up from his village and he has been falsely implicated in the present FIR. The petitioner is in custody since 25.05.2015.

On the other hand, the learned State counsel opposes the

bail application and states that allegedly 800 kg of poppy husk was recovered from the petitioner and his co-accused which falls under the preview of commercial quantity. He further states that out of total 16 PWs, only 03 PWs remains to be examined.

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

Considering the huge quantity of contraband i.e. 800 kg of poppy husk recovered from the petitioner and his co-accused 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.

However, considering the period of incarceration and stage of trial, the trial Court is directed to conclude the trial expeditiously preferably within three months from the date of receipt of certified copy of the order.

25.04.2017

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(JITENDRA CHAUHAN)
JUDGE

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