

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-42620 of 2018

Date of Decision: 03.10.2018

Sukhpal Singh @ Sonu

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. S.C. Arora, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.131 dated 04.08.2018 under Section 22 NDPS Act registered at Police Station City, Sri Muktsar Sahib.

Learned counsel for the petitioner has argued that since there is some discrepancy regarding the number of tablets so recovered from the petitioner, it is sufficient to extend the benefit of regular bail to the petitioner.

On the other hand, learned State counsel submits that since the petitioner was found in possession of narcotics, which falls in the commercial quantity, he does not deserve the concession of bail.

I have heard learned counsel for the parties.

As per the prosecution version, 2700 tablets of TRIO-SR were recovered from the possession of the petitioner, however, the same on counting by learned Chief Judicial Magistrate, Sri Muktsar Sahib were found to be 2710 tablets. Thus, there is minor mistake while counting the quantity of the contraband so recovered from the petitioner. However, merely because there is some mistake in calculation of the quantity of the contraband so recovered from the petitioner, does not entitle him for grant of regular bail, particularly when the said quantity also falls in commercial quantity.

Therefore, no ground for regular bail is made out.

Dismissed.

October 03, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No