

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

212

CRM-M-48583 of 2017 (O&M)

Date of Decision:- 18.05.2018

Kuldeep Singh

.....Petitioner

Versus

U.T.Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Gurmandeep Singh Sullar, Advocate for the petitioner.

Ms. Ashima Mor, AAP, U.T.Chandigarh.

P.B. BAJANTHRI, J.(ORAL)

In the instant petition, petitioner is seeking regular bail in FIR No.185 dated 12.07.2017 under Sections 21/22 NDPS Act, registered at Police Station Central, Sector 17, Chandigarh.

2. Learned counsel for the petitioner has contended that petitioner is entitled for regular bail in view of the fact that he is in custody since 12.07.2017. Recovery is 29.4 ml of Buprenorphine Injection. In identical circumstances, this court while relying on case titled as ***Deepak Kumar versus U.T., Chandigarh***, decided on 14.02.2017 in CRM-M No. 1752 of 2017 (O&M) granted regular bail. Therefore, he is also entitled for concession of regular bail.

3. While resisting the claim of the petitioner, learned State counsel submitted that the decision rendered ***Deepak Kumar's case cited (supra)*** is relating to 24 grams. Learned counsel for the respondent submitted that in the present case after examination of Buprenorphine Injection it was opined that actual quantity is 30.8 grams. That apart 115.4 grams of Heroin has been recovered from the petitioner. Therefore, he is not entitled to regular

bail.

4. Heard the learned counsel for the parties.
5. In the present case alleged recovery of 30.8 grams of buprenorphine injection and 115.4 grams of Heroin from the possession of the petitioner therefore no case is made out to grant bail. Consequently, without commenting on the merit of the case, present petition for regular bail stands dismissed.

18.05.2018
pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons
Whether Reportable:

Yes/No
Yes/No