

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

211

CRM-M-5597-2019 (O & M)
Date of Decision:20.05.2019

Janta Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Navneet Jindal, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.98 dated 23.10.2018, under Section 22-C of NDPS Act, registered at Police Station Rori.

The prosecution case is that on 23.10.2018, a police party headed by ASI Satbir Singh on a government vehicle No.HR-24-W-4302 being driven by EASI Zile Singh was present near Power House of village Faggu for patrolling and detection of crimes. In the meantime, two persons having polythene of black colour in their hands, were seen coming from the side of village Faggu, who on seeing the police party, turned back and tried to enter in the bushes standing near the Power House. On suspicion, they were apprehended and on enquiry, they disclosed their names as Janta Singh

son of Gurdev Singh (petitioner) and Gagandeep son of Raj Kumar. Thereafter, the search of the polythene being carried by accused Janta Singh was checked and on search, 50 strips containing 10 tablets each of Tramadol Hydrochloride tablets 100 mgs. i.e. total 500 tablets Tramadol Hydrochloride tablets 100 mgs. Then the search of the polythene being carried by accused Gagandeep Singh conducted which led to the recovery of 100 tablets of Tramadol Hydrochloride of 100 mgs. of Batch No.TDP-18017.

During the course of arguments, learned counsel for the petitioner contends that neither the FSL report has been filed nor the challan has been filed by the prosecution and the stipulated period is over. It is contended that as a matter of right, the petitioner deserves the concession of bail. It is further contended that the prayer in this regard can be made orally even if the petition does not contain any such ground for grant of regular bail.

To a pointed query posed by this Court, it is submitted that the application in this regard was made before the trial Court and the same stands dismissed. However, neither the application nor the order has been placed on record.

Considering the above as well as the fact that commercial quantity of contraband i.e. 500 tablets were recovered from the petitioner, no ground is made out for grant of regular bail.

Dismissed.

20.05.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No