

Gurdev Chand @ Geba

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJPresent: Mr. Inderjeet Singh Chawla, Advocate
for the petitioner.Mr. Ramdeep Partap Singh, DAG Punjab assisted by
SI Jaswinder Singh.

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MANOJ BAJAJ, J. (ORAL)

Petitioner-Gurdev Chand @ Geba has filed the present petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 122 dated 09.06.2017 (Annexure P-1) under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sohana, District SAS Nagar. The petitioner is in custody since his arrest on 09.06.2017.

On 09.06.2017, when police party was on patrolling duty, a secret information was received that Gurdev Chand (petitioner) along with his accomplices do the work of selling heroin at Chandigarh. As per information, all three were coming from Delhi in Innova car bearing No. PB-08-BA-0717. Acting upon the same, a naka was set up and 550 grams of heroin was recovered from the petitioner and his co-accused.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case and the petitioner had no

knowledge about the contraband lying in the vehicle.

Learned State counsel, who is assisted by SI Jaswinder Singh opposed the prayer for grant of bail on the ground that quantity recovered from the petitioner falls within the ambit of commercial quantity. Therefore, petitioner does not deserve the concession of regular bail.

Considering the nature of contraband recovered from the petitioner and his co-accused which is commercial in nature, no case is made out for grant of regular bail to the petitioner at this stage.

The petition stands dismissed.

17.09.2019

Janki

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No