

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

Criminal Misc. No.M-41181 of 2018(O&M)

Date of Decision: November 07, 2019

Sukhdev Singh @ Sukhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Parminder Singh Sekhon, Advocate
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of bail in case FIR No.53 dated 15.05.2018 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Badhani Kalan, District Moga.

The allegations against the petitioner are that he was apprehended on 15.05.2018 and 05 grams of heroin was recovered from him. During interrogation he disclosed that he had purchased 5 gram heroin and 130 gram of intoxicant powder from one Billa of Village Daulewala for selling it further. He disclosed that he had hidden the intoxicant powder near bridge of Canal situated in the area of Badhni Kalan. The same was got recovered by him. As per the report of the chemical examiner the intoxicant powder was found to contain Alprazolam.

Learned counsel for the petitioner argued that the recovery was made from a public place. No private witness was joined at the time of alleged recovery which makes the recovery doubtful.

It is not possible to appreciate the aforesaid contentions at this stage. The recovery from the petitioner is admittedly of commercial quantity. No ground is made out for grant of bail to the petitioner at this stage.

Petition is dismissed.

November 07, 2019

**(HARINDER SINGH SIDHU)
JUDGE**

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Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No