

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

**CRM-M-22255-2019
Decided on : 28.05.2019**

Mandeep Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Balbir Singh Jaswal, Advocate
for the petitioner(s).

Mr. A.A. Pathak, Addl. AG, Punjab with
ASI Sham Kumar.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No. 327, dated 11.09.2015 (Annexure P-1), registered under Section 22 of the NDPS Act, 1985, at Police Station A-Division, District Amritsar.

Learned counsel for the petitioner submits that the prosecution failed to comply with the various provisions of the NDPS Act, while affecting the alleged recovery from the petitioner. He, further, submits that one ASI Sarabjit Singh of Police Station Mohkampura, affected the recovery from the petitioner. He was the lodger of the FIR as well.

Per contra, learned State counsel submits that the recovery of 250 grams of intoxicant powder was effected from his person, which falls under the commercial quantity. The petitioner, on being apprehended, could not produce any bill or licence pertaining to the recovered intoxicant powder and hence prays for dismissal of the instant petition.

In view of the heavy quantity of the intoxicant powder so recovered

from the person of the petitioner, which falls under the commercial quantity as well, no case for regular bail is made out.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

May 28, 2019
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*