

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

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**CRM-M No.50596 of 2018.
Date of Decision: 06.03.2019.**

Avtar Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Ripudaman Singh Sidhu, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.168 dated 23.08.2018 under Section 15, 18 of the N.D.P.S. Act, registered at Police Station City Samana, District Patiala.

The petitioner is involved in a case of recovery of 76 kg poppy husk and 250 grams of opium.

Learned counsel representing the petitioner contended that the petitioner was travelling in car bearing registration No.DL-3C-AQ-4676, which is not in the name of the present petitioner and nothing was recovered from the present petitioner as he was not having possession of any contraband.

Learned counsel representing the respondent-State opposed the prayer for bail on the ground that the petitioner is involved in the case of recovery of 76 kg poppy husk which is 'commercial quantity' and said recovery was from the conscious possession of the petitioner.

In view of the above, no case is made out for release of the petitioner on regular bail and the present petition is dismissed.

(SHEKHER DHAWAN)
JUDGE

06.03.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No