

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

**CRM-M No. 34565 of 2019
Date of Decision:-18.09.2019**

Pardeep Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. B.K.Mehta, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner-Pardeep Sharma has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 429 dated 28.11.2018, under Section 22(C) of NDPS Act, registered at Police Station Bhuna, District Fatehabad.

As per FIR, on 28.11.2018 when the police party reached near 'T' point of village Bosti on the bridge of a canal on Bhuna-Uklana road, a youth was seen coming from the side of Bhuna carrying a backpack (pitthu bag), who was going towards the canal and on noticing the police vehicle started moving briskly towards his right hand side. On the basis of suspicion he was apprehended, who disclosed his name as Pardeep Sharma

and on search of the backpack, in one of its pockets 750 strips of Tredol-100 (Tramadol), each strip contained 10/10 tablets totalling 7200 tablets. From the other pocket of the backpack, 420 strips of Alprazolam tablets IP 0.5 mg, totalling 4200 tablets were found.

Learned counsel for the petitioner contends that the petitioner's father is an authorized chemist, who is running a shop under the name and style of Punjab Medical Store at Village Saniana, Tehsil Tohana. According to him the recovered contraband was in fact purchased from Naresh Medicos through invoice No.14078 dated 26.11.2018, which contains the batch number and other particulars of the said medicines. It is pointed out that the petitioner was also extended the concession of interim regular bail on 26.3.2019 as the FSL report was awaited, which ended on 06.8.2019 upon his surrender. Learned counsel contends that there is no other case muchless of similar nature against the petitioner and the concession of interim bail was never misused by him.

On the other hand, learned State counsel, who is assisted by ASI Manish Kumar opposed the prayer on the ground that the recovered contraband falls in commercial category. However, he shown his ignorance about the chemist shop being run by his father and the invoice through which the medicines were purchased.

Considering the above and the fact that the petitioner already remained on interim bail for a period of about four months and the concession was never misused, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court, Fatehabad.

The petition is allowed.

September 18, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No