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

**CRM-M-35695-2019
Date of decision-03.09.2019**

Lucky @ Lucky Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S.Khiva, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Lucky @ Lucky Kumar has filed this petition for grant of regular bail in case FIR No.186 dated 27.11.2018, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Goraya, District Jalandhar. Petitioner is in custody since his arrest on 27.11.2018.

On 27.11.2018, when the Police party was on patrol duty at Canal Bridge Atta, two young persons were seen coming. On seeing the police, they tried to run away. On suspicion, they were apprehended. After following the procedure, the search was conducted and 95 buprenorphine injections each of 2 ml and 170 intoxicant capsules of Parvon spas plus were recovered from the polythene bag.

Learned counsel for the petitioner contends that the petitioner

has been falsely implicated in the present case. It is pointed out that the charges were framed on 21.05.2019 and till date no witness has been examined. He further contends that petitioner is not involved in any other case. He further submits that the co-accused, namely, Amandeep Singh has already been granted bail by trial Court.

On the other hand, learned State counsel on instructions from ASI Kuldeep has opposed the bail application on the ground that quantity recovered from the petitioner falls within the ambit of commercial quantity, therefore, the petitioner does not deserve the concession of regular bail.

Considering the nature of contraband recovered from the petitioner and the fact that the trial is yet to commence, no case is made out for grant of regular bail to the petitioner.

Consequently, petition is dismissed.

03.09.2019

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**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No