

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

**Crl. Misc. No.M-38947 of 2019 (O&M)
Date of Decision: October 23, 2019.**

Vinay Kumar @ Tinku

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Hoshiar Singh, Advocate
for the petitioner (s).

Mr. Avtar Singh Sandhu, Addl.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 54 dated 28.02.2019 registered for the offences punishable under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Khanna, District Khanna.

Heard.

The petitioner was apprehended by police party headed by inspector Sham Lal of Police Station City, Khanna on 28.02.2019, when he tried to run away on seeing the police party after throwing the plastic envelope. Due to throwing on the ground, plastic envelope got torn and was found containing 20 strips of tablets out of which 10 strips were containing

to Forensic Science Laboratory and was found to be that of drug 'Alprazolam'.

Learned counsel for the petitioner has argued that as per the police version, strips of tablets were in a plastic envelope but when they were produced before the Magistrate, those were in a cloth bag.

There is specific mention in the FIR/recovery memo that the strips along with envelope were put in a parcel, which was sealed at the spot, as such, when the case property was produced before learned Magistrate, it could not be in plastic envelope. Recovery of contraband from the petitioner is of commercial quantity, as such, no reason is made out to extend the benefit of regular bail to the petitioner.

This petition has no merits. Dismissed.

October 23, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

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

Whether Reportable: ***Yes/No***