

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

**CRM-M No. 43036 of 2019
Date of Decision:-17.10.2019**

Rahul

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Rahul has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 152 dated 05.8.2019, under Section 21/22/61 of NDPS Act, registered at Police Station Guruharsahai, District Ferozepur.

As per prosecution version, the FIR was registered on the basis of secret information against the accused Rahul (petitioner) and Ravi. As per secret information, the accused persons were stated to be involved in selling Heroin and intoxicant tablets and were coming from Ferozepur to Guruharsahai through Guddar Dhandi alongwith the contraband and upon nakabandi, the accused would be apprehended with the contraband. The

police acted upon the said received information and the aforesaid accused persons were apprehended and from the possession of Rahul (petitioner) 1300 intoxicant tablets of 'Clovidol SR' and from Ravi, 15 grams of Heroin were recovered.

Learned counsel for the petitioner contends that the recovery has already been effected and the petitioner is in judicial custody and therefore, he is not required for any investigation. He prays that the petitioner be released on regular bail.

Learned State counsel, who is assisted by ASI Mahinder states that the case is under investigation and the recovery of contraband effected from the petitioner falls within the ambit of commercial quantity.

In view of the aforesaid position, this Court does not find any valid reason to extend the benefit of regular bail to the petitioner at this stage.

The petition is dismissed.

October 17, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No