

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

CRM No.M-62264 of 2018 (O&M)

Date of Decision: April 08, 2019

Lokesh alias Locky

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rajesh Lamba, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.420 dated 24.06.2018 under Section 22 of the NDPS Act, registered at Police Station Sector-58, District Faridabad.

Notice of motion.

Mr.Navdeep Singh, AAG, Haryana, has put in appearance on behalf of the respondent-State and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that recovery in the present case is stated to be 226 kgs. of ganja. Learned counsel for the petitioner has placed reliance upon a CD but conversion therein is with not of the police official.

If private persons make conversion in the CD with each other that is of no

consequence. On this ground, it cannot be inferred, at this stage, without

any evidence, that petitioner has been falsely implicated in this case. The recovery in this case falls under commercial quantity. Section 37 of the NDPS Act bars the grant of bail to the accused in the case of commercial quantity.

Therefore, finding no merit in the present petition, the same is dismissed.

However, nothing stated above, shall constitute my opinion on merits of the case.

April 08, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No