

213

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-183-2019

Date of decision-14.10.2019

Gagandeep Singh @ Gaggi

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Zubin Chhura, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Gagandeep Singh @ Gaggi has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.233 dated 12.10.2018 under Sections 21, 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kotwali, Kapurthala, District Kapurthala. Petitioner is in custody since his arrest on 12.10.2018.

On 12.10.2018, when the Police party was on patrol duty at village Paharipur near Govt.High School, one young person, carrying one black colour polythene bag, was seen coming. On seeing the police, he tried to run away. On suspicion, he was apprehended. After following the procedure, the search was conducted and 05 gram heroin and 20 injections of buprenorphine each of 0.02 ml 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 are yet to be framed, therefore, further custody of the petitioner is not justified.

On the other hand, learned State counsel on instructions from ASI Chinder Pal 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. He has further apprised the Court that the petitioner is involved in two other cases of similar nature.

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.

14.10.2019

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**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No