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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1485-2020

Date of decision-20.01.2020

Raju

....Petitioner

Vs.

U.T.Chandigarh

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. G.S.Sandhu, Advocate for the petitioner.

Mr. Manish Jain, APP, U.T.Chandigarh.

MANOJ BAJAJ, J.

Petitioner-Raju has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.137 dated 18.08.2019 under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Maloya, Chandigarh. Petitioner is in custody since his arrest on 18.08.2019.

As per the prosecution case, on 18.08.2019, when the Police party was on patrol duty at bus stop Maloya on Chandigarh road, one person, carrying a heavy bag, was seen coming. On seeing the police, he turned back and started moving briskly. On suspicion of carrying stolen articles, he was apprehended. Search was conducted and 1 kg 50 grams charas was recovered from the possession of the petitioner.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is pointed out that the

challan is yet to be filed, therefore, further custody of the petitioner is not justified.

On the other hand, learned counsel appearing on behalf of U.T 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 one another case of similar nature.

Considering the nature and quantity of contraband recovered from the petitioner and the fact that the investigation of the case is pending, therefore, at this stage, no case is made out for grant of regular bail to the petitioner.

Consequently, petition is dismissed.

20.01.2020

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No