

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

CRM-M-6637-2020 (O&M)

Date of Decision:- 24.2.2020

Ajay Kumar @ Aji

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
assisted by S.I. Chand Gir.

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.141 dated 17.7.2019 under Sections 21/22 of NDPS Act, 1985 at Police Station Guruharsahai, District Ferozepur.
2. It is the case of prosecution that a secret information was received to the effect that the petitioner was indulging in sale of 'heroin' and other intoxicant tablets and was proceeding towards village Guruharsahai for sale of contraband. Pursuant to receipt of said information, the police swung into action and was able to apprehend the accused and from whose possession 60 strips of 'Travon-50' containing 10 capsules each, 60 strips of 'Tridol-50' containing 10 capsules each and 5 strips of 'Calvidol-100 SR' containing 10 tablets each were recovered.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that identical FIRs were lodged against the petitioner on earlier occasions also as the police is inimical towards the petitioner.
4. Opposing the petition, the learned State counsel has submitted that since it is a case of recovery of a huge quantity of contraband i.e. 1250 intoxicant tablets, no case for grant of bail is made out.
5. I have considered the rival submissions addressed before this Court.
6. It is a case where the police had secret information against the accused and the accused-petitioner was caught red-handed, while in possession of huge quantity of contraband. Although, the petitioner claims to have been falsely implicated on account of enmity with the police but the said contention cannot be accepted at this stage in the absence of any clinching evidence. The petitioner is also involved in three other cases. In view of the aforestated position, especially that it is a case of recovery of contraband, which would fall within the quantitative limit of 'commerical quantity' and there is nothing at this stage to hold that the petitioner has been falsely implicated or that he would not commit any offence again, this Court does not find any ground for release of the petitioner on bail.
7. The petition is sans any merits and is hereby dismissed.

24.2.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No