

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12903-2020 (O&M)
Date of Order:23.07.2020

Gurmel Singh

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Navneet Jindal, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for bail pending trial in a criminal case arising from FIR No.15, dated 09.01.2020, registered under Section 22-B of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Mandi Dabwali, District Sirsa, Haryana.

As per the case of the prosecution, the petitioner was found in conscious possession of 290 intoxicant tablets of TREDOL-100 which contains Tramadol Hydrochloride salt, a prohibited substance.

Learned counsel for the petitioner contends that the recovery from the petitioner is not of commercial quantity.

On the other hand, learned counsel appearing for the State has pointed out that the report of the Forensic Science Laboratory has been received, according to which the recovery from the petitioner would fall within the commercial quantity notified by the government. He further

points out that there is another FIR i.e. FIR No.88, dated 25.04.2019, pending against the petitioner in which narcotics of commercial quantity was recovered from the petitioner. He further points out that the petitioner is a habitual offender as he was also involved in 2 other FIRs under the Indian Penal Code.

Be that as it may. It is debatable “as to whether the recovery from the petitioner falls under the commercial category or not?”

It is not in dispute that the petitioner is also involved in another criminal case i.e. FIR No.88, dated 25.04.2019 registered under the Narcotic Drugs and Psychotropic Substances Act, 1985.

Keeping in view the aforesaid facts, this court is not inclined to release the petitioner on bail.

Dismissed.

July 23, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No