

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

**CRM-M-13806-2020 (O&M)
Date of Decision : 25.06.2020**

Gagandeep Singh @ Gaggi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Manu Loona, Advocate
for the petitioner.

Mr. Harbir Singh Sandhu, AAG, Punjab.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing.

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.0122 dated 10.08.2019, registered under Section 22/61 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Arniwala, District Fazilka, Punjab.

Petitioner is facing trial in the aforesaid FIR on the allegations that on 10.08.2019, he was found in conscious possession of 1000 intoxicant tablets containing Tramadol Hydrochloride salt which falls under commercial quantity.

Learned counsel *inter alia* contends that petitioner is neither the owner nor driver of the vehicle from which the alleged

contraband was recovered. He had only taken the lift in the said car driven by co-accused Tarlochan Singh @ Kalu. Petitioner is completely innocent. He is in custody since 10.08.2019. Conclusion of trial may take sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner, submitting that recovery effected from him falls under “commercial quantity”.

Considering the overall circumstances and the fact that the recovery effected from the petitioner falls under commercial quantity, he does not deserve any concession of bail.

Dismissed.

25.06.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No