

108

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19607-2020 (O&M)
Date of decision-07.09.2020

Balwinder Singh @ Babbu

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Balwinder Singh @ Babbu has preferred this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.65 dated 07.05.2019 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Fatehgarh Sahib, Tehsil and District Fatehgarh Sahib, Punjab. Petitioner is in custody since his arrest on 07.05.2019.

As per the prosecution case, 40 vials containing Avil and 40 intoxicant injections containing Buprenorphine were recovered from the conscious 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 charges have been framed on 12.01.2020, but no witness has been examined so far. Learned counsel further submits that petitioner is not involved in any other case. According to him, the investigation of the case is complete and therefore, further custody of the petitioner may not be necessary. He prays

that the petitioner be granted the concession of regular bail pending trial.

On the other hand, learned State counsel assisted by ASI Jaspal Singh 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.

After hearing learned counsel for the parties and considering the nature and quantity of the contraband (commercial quantity) recovered from the petitioner, this Court does not find any reason to extend the concession of regular bail to the petitioner at this stage.

Petition is dismissed.

07.09.2020

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(MANOJ BAJAJ)
JUDGE

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