

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

**CRM-M-23230-2020 (O&M)
Date of Decision : 20.08.2020**

Manoj Kumar alias Bittu Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

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

Mr. Sumit Gupta, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing due to the outbreak of Pandemic COVID-19.

Through this second 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.0344 dated 20.11.2018, registered under Sections 21 and 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (in short 'the Act'), at Police Station PGIMS, Rohtak.

Learned counsel *inter alia* contends that the entire police proceedings have been done while sitting in the police station. When the police had already effected alleged recovery of contraband from the house of petitioner, there was no occasion for them to serve notice under Section 50 of the Act, upon the petitioner. The same has falsely been prepared. The house in-question where the alleged recovery of contraband is shown to have been effected is not in

exclusive possession of petitioner. It is a joint property of the family.
The petitioner has falsely been implicated in the said FIR.

Heard.

Considering the heavy recovery of contraband effected from the petitioner, no ground is made out to entertain this second bail petition, inasmuch as, points raised by learned counsel for the petitioner needs to be appreciated and taken into consideration at the time of decision of trial.

Dismissed.

(RAMENDRA JAIN)
JUDGE

20.08.2020
mamta

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