

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

205

CRM-M-28687 of 2020

Date of Decision: 24.09.2020.

Ved Parkash @ Commorade

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr.Amit Choudhary, Advocate for the petitioner.

Mr.Neeraj Poswal, Assistant Advocate General Haryana

Lalit Batra , J . (Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is fourth petition for grant of regular bail to petitioner-**Ved Parkash @ Commorade** in case F.I.R. No.327 dated 18.11.2017 under Section 22-C of NDPS Act, 1985, registered at Police Station Sadar Tohana, District Fatehabad.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further urges that the petitioner is a licenced chemist and running a chemist shop under the name and style of “M/s Parbhath Medicos”. He further urges that after receipt of FSL report, petitioner surrendered before the Court on 14.12.2018 and since then he is in custody. He further submits that final report under Section 173 Cr.P.C. has already been presented in the Court and trial has already commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that petitioner was apprehended while having conscious possession of 780 tablets of Alprazole-0.5 (Alprazolam-IP-05 MG) and 300 tablets of Selprazole-0.50 (Alprazolam-IP-05 MG) of Alprazolam which is a psychotropic drug. He further submits that actual weight of above said tablets comes to 131.8 grams, which falls under commercial quantity. He further submits that prosecution witnesses are yet to be examined, thus, keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that allegedly petitioner was apprehended while having conscious possession of 780 tablets of Alprazole-0.5 (Alprazolam-IP-05 MG) and 300 tablets of Selprazole-0.50 (Alprazolam-IP-05 MG) of Alprazolam, weighing 131.8 gms, which falls under commercial quantity, the fact that material prosecution witnesses are yet to be examined and the fact that allegations against the petitioner are serious in nature, thus petitioner does not deserve the concession of regular bail.

As a sequel to above, instant petition for grant of regular bail moved by the petitioner is dismissed.

September 24, 2020
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(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No