

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

**CRM No.M-28721 of 2020
Date of Decision: October 19, 2020**

Surender

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Satnam Singh Gill and Ms.Manjot Kaur, Advocates,
for the petitioner.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of the COVID-19 pandemic.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.35 dated 04.02.2020 under Section 15 of the NDPS Act, registered at Police Station Jind Sadar, District Jind.

Notice of motion.

Ms.Harpreet Kaur, AAG, Haryana, accepts notice on behalf of the respondent-State.

Heard on the petition.

As per version of the prosecution, on 04.02.2020, the petitioner was found in the possession of 15 plastic bags each weighing 10 kgs. containing poppy husk and the total weight of recovered poppy husk was

Now, it is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in the present case. However, the plea of false implication can only be ascertained at the appropriate stage, during the course of trial. The extent of recovery effected from the petitioner falls in the category of commercial quantity and thus rigors of Section 37 of the NDPS Act are attracted to the same. At this stage, there is nothing, as such, coming on record about there to be existing reason or ground that the applicant is not guilty of such offence and that he is not likely to commit any offence while on bail.

Considering the same, at this stage, no case is made out for grant of regular bail to the petitioner.

Consequently, finding no merit in the present petition, the same is dismissed.

(ARCHANA PURI)
JUDGE

October 19, 2020
Vgulati

Whether speaking/reasoned
Whether reportable

Yes
No