

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35588-2019 (O&M)

Date of Decision: 07.02.2020

Varun Bhogal

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S. Randhawa, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.433 dated 27.04.2019, under Sections 21 and 29 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Chandni Bagh, Panipat. He is in custody since his arrest on 27.04.2019.

As per the case of the prosecution, on 27.04.2019, a secret information was received that a person, namely, Varun Bhogal was coming from Ludhiana in a private vehicle bearing No.PB10FE3626 and was about to come under Panipat fly-over along with heroin. Upon receipt of information, a check post was created and accused Varun Bhogal was apprehended. On search, 722 grams heroin was recovered from a plastic polythene kept by him.

Learned counsel for the petitioner contends that the co-accused of the petitioner has been granted the concession of regular bail by the trial Court vide order dated 15.06.2019 (Annexure P-3). He submits that the

and therefore he deserves the concession of regular bail particularly when he is not involved in any other similar case.

After hearing learned counsel for the petitioner, this Court does not find it to be a fit case for grant of regular bail, as the alleged recovery of 722 grams heroin effected from his possession, falls within the ambit of commercial quantity. The reliance upon the order dated 15.06.2019 placed by the learned counsel for the petitioner is of no help as the perusal of the order reveals that co-accused Gulam Hussain Para was indicted in the present case on the basis of disclosure statement suffered by the petitioner.

As the charges have been framed recently, therefore, considering the seriousness of the alleged offence, but without meaning any expression of opinion on merits of the case, this Court does not find any reason to extend the concession of regular bail to the petitioner, at this stage.

Petition is dismissed.

07.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No