

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46614-2019

Date of Decision: 22.01.2020

Jitender

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ankur Jain, Advocate for the petitioner.

Mr. Praveen Bhadu, DAG, Haryana.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.77 dated 01.07.2019, under Section 22(c) Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Jakhal, District Fatehabad. He is in custody since his arrest on 01.07.2019.

As per the prosecution case, on 01.07.2019, accused Jitender Kumar @ Gullu was apprehended by the police party and 900 tablets of Tramadol Hydrochloride were recovered from him. It is alleged that the above said contraband was allegedly supplied by accused Brijesh Kumar @ Bittu, who was apprehended on 02.07.2019 for having conscious possession of 3000 tablets of Tramadol Hydrochloride.

Learned counsel for the petitioner has placed reliance upon order dated 28.11.2019, whereby co-accused Brijesh Kumar @ Bittu was extended the concession of regular bail by the ld. Addl. Sessions Judge, Fatehabad. He contends that the petitioner is in custody since 01.07.2019

and the investigation of the case is complete. It is pointed out that the final

report stands filed and there is no case against the petitioner. According to him, the petitioner also deserves to be released on regular bail.

On the other hand, learned State counsel assisted by ASI Dharam Pal has opposed the prayer on the ground that the case of the petitioner is distinguishable from the case of co-accused Brijesh Kumar @ Bittu, who was made an accused on the statement of the petitioner, as according to his statement, the said contraband was supplied by co-accused Brijesh Kumar @ Bittu.

Considering the quantity, which is commercial in nature, this Court does not find any reason to extend the concession of regular bail to the petitioner.

The petition is dismissed.

22.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No