

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47782-2019

Date of Decision: 09.01.2020

Sher Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasminder Singh Thind, 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.191 dated 27.08.2019 under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Sirsa, District Sirsa. He is in custody since his arrest on 27.08.2019.

As per the FIR, on 27.08.2019, police party headed by ASI Jagmit Singh was present for patrolling duty at T-point, Dera Bhuman Shah in the area of village Mangala. Meanwhile, a young boy was seen coming on a motorcycle from the side of village Titukhera, who on noticing the police party ahead tried to turn back his motorcycle. However, in that process, he fell down along with motorcycle. He was apprehended by police party. On enquiry, he disclosed his name Sher Singh. Search of poly bag carried by the accused was conducted, which led to recovery of 780 capsules of Tramadol, marka PARVORIN-SPAS, Ridley. On asking the accused, he disclosed that he had purchased the aforesaid capsules from

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and no other case is pending against him. It is pointed out that the challan has been presented, therefore, further custody of the petitioner is not justified. It is prayed that the petitioner be released on regular bail.

On the other hand, learned State counsel on instructions from ASI Rajbir Singh has opposed the bail application on the ground that quantity recovered from the petitioner falls within the ambit of commercial quantity, therefore, the petitioner does not deserve the concession of regular bail.

Considering the nature of contraband recovered from the petitioner, no case is made out for grant of regular bail to the petitioner at this stage.

Consequently, the petition is dismissed.

09.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No