

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18576-2021

Date of decision-24.11.2021

Rajwinder Kumar @ Vicky

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.D.Rattewal, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.0002 dated 09.01.2021 under Sections 22 and 29 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kathgarh, District SBS Nagar, who is in custody since his arrest on 09.01.2021.

The contents of the FIR as noticed by the Judge, Special Court, Shaheed Bhagat Singh Nagar in his order dated 17.03.2021 are as under:-

“The brief facts of the case are that the applicant/accused was apprehended by the police party headed on 09.01.2021 and from his possession, 120 injections of Buprenorphine and 120 injections of Avil were recovered fwithout any license or permit.”

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case, and as challan stands filed on 11.05.2021, the petitioner be released on regular bail, who is not involved in any other case of similar nature.

While opposing the prayer, learned State counsel who is assisted by ASI Raghubir Singh, submits that the quantity recovered from the petitioner falls within the ambit of commercial quantity, therefore, the petitioner does not deserve the concession of regular bail. He on instructions further states that the case is now fixed for 24.11.2021 for framing of charges before the trial Court.

After hearing learned counsel for the parties and considering the nature and quantity of the contraband, this Court does not find it to be a fit case to extend the concession of regular bail to the petitioner at this stage.

Petition is dismissed.

24.11.2021

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**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No