

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

**CRM-M-15410 of 2022 (O&M)
DECIDED ON:29th April, 2022**

Vipin Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ram Bilas Gupta, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This is second petition for grant of regular bail in case of FIR No.133 dated 5.6.2021, under sections 22C and 61 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered at Police Station Sector-17, District Faridabad.

Brief facts of the case are that the police officials received a secret information on 05.06.2021 that Vipin Kumar-petitioner is indulging in sale of intoxicated injections and at that time he was present at Sector 17, by-pass road. Finding the information worth reliance, raid was conducted. Twenty five injections of Buprenorphine 2 ml each total 50 ml were recovered from the petitioner. He was asked to produce the licence or prescription for injections possessed, he failed to do so.

First bail application was dismissed by a reasoned order vide order dated 16.9.2021. It was specifically recorded that no argument has been put forth to meet the twin conditions as required under Section 37 of the Act. The second petition is filed and the contention is that out of sixteen witnesses, two prosecution witnesses have been examined and the petitioner is in custody since 5.6.2021. Apart from that the second petition has been filed by change

No change in circumstances has been pointed out while arguing the matter. The custody from 5.6.2021 in a case where recovery is of commercial quantity itself cannot be a ground for grant of bail.

The petition is dismissed.

29th April, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>