

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

CRM No.M-11163 of 2015

Date of Decision: September 03, 2015

Sukhvir Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Deepak Aggarwal, Advocate  
for the petitioner.

Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab  
for the respondent-State.

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**INDERJIT SINGH, J.**

Petitioner has filed this petition under Section 439 Cr.P.C.  
for grant of regular bail in case FIR No.120 dated 14.09.2014 under  
Sections 21 and 22 of the NDPS Act, registered at Police Station  
Nehianwala, District Bathinda.

I have heard learned counsel for the petitioner as well as  
learned State counsel and have gone through the record.

As per the prosecution version, 12 vials of Rexcof (100ml  
each) and 5 gms. of heroin have been recovered from the petitioner,  
which falls under commercial quantity. Learned counsel for the  
petitioner contended that there are two other cases under the NDPS  
Act against the petitioner and in those cases, he is already on bail.

Keeping in view the facts and circumstances of the present case and in view of the recovery of Rexcof from the petitioner, which falls under commercial quantity, I do not find it a fit case where the petitioner is entitled to benefit of grant of regular bail as Section 37 of the NDPS Act bars the grant of bail in the case of commercial quantity.

Therefore, finding no merit in the present petition, the same is dismissed.

**September 03, 2015**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**