

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

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Crl. Misc. No. M 2280 of 2015

Date of decision: 28.01.2015

Satya Rani alias Satto

..... Petitioner

Versus

State of Punjab

.....Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Sandeep Kumar Passi, Advocate
for the petitioner

Mr. Ankur Jain, AAG, Punjab
for the State

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J. (Oral)

The petitioner prays for grant of regular bail in FIR No. 46 dated 23.05.2014 for offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, the Act) registered in Police Station Sadar Faridkot, District Faridkot.

Counsel for the petitioner contends that the alleged recovery from the petitioner is marginally more than the commercial quantity as it is 54.5 grams, but commercial quantity starts from more than 50 grams. It is further submitted that the petitioner is in custody for the past about eight months.

Counsel for the State of Punjab has strongly opposed the prayer

for bail with the submissions that as the recovery from the petitioner falls within the purview of commercial quantity, he is not entitled to bail in view of the provisions of Section 37 of the Act.

I have heard counsel for the parties and perused the records.

Keeping in view the factum that the recovery effected from the petitioner is commercial quantity when examined in the light of stringent provisions of Section 37 of the Act, I do not think it to be a fit case wherein the petitioner deserves to be enlarged on bail.

Dismissed.

(Rekha Mittal)
Judge

28.01.2015
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