

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

CRM-M No.28937 of 2015 (O&M)

Date of Decision: 15.10.2015

Mandeep Kumar @ Sonu

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail to the petitioner in case FIR No.39 dated 25.06.2014, under Section 22 of the N.D.P.S. Act, registered with Police Station Satnampura, District Kapurthala.

As per the allegations, recovery of 64 injections of Avil each containing 10 Ml. and 64 injections of Norphine each containing 2 Ml. was made from the possession of the petitioner.

Learned Counsel for the petitioner/accused submits that the alleged recovery does not fall in the category of “commercial” and the petitioner is in custody since 25.06.2014.

Learned State Counsel has filed reply by way of affidavit dated 07.10.2015 of Sh. Manpreet Singh Dhillon, DSP, Phagwara Sub Division, District Kapurthala, wherein it is submitted that the quantity of the contraband recovered turns out to be 768 gms., which falls within the definition of commercial quantity, therefore, the petitioner is not entitled to bail.

Without commenting on the merits of the case, keeping in view the seized contraband being commercial in nature and the rigors of Section 37 of the NDPS Act, no case for grant of regular bail is made out.

Accordingly, the present petition stands dismissed.

October 15, 2015

Gagan

**(JASWANT SINGH)
JUDGE**