

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-32496 of 2015

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Date of decision:28.9.2015

Sukhwant Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. C.S. Jattana, Advocate for Mr. Arshdeep Singh Brar,
Advocate for the petitioner.

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

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.86 dated 7.11.2014 registered for the
offence under Section 22 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station
Fatehgarh Panjtoor.

Notice of motion to Advocate General, Punjab.

On the asking of the Court, Ms. Simsi Dhir Malhotra, learned
Deputy Advocate General, Punjab has put in appearance on behalf of the
respondent-State and contested this petition. Police record is also available.

I have heard learned counsel for the parties and have gone

through the record.

As per the prosecution version, present petitioner-Sukhwant Singh was driving the motorcycle and co-accused Paramjit Singh was pillion rider. From the possession of Paramjit Singh 100 Grams. of intoxicant powder containing Diphenoxylate salt was recovered. More than 50 Grams of this salt falls in the commercial quantity.

Keeping in view the fact that recovery is of commercial quantity and Section 37 of the Act bars the grant of bail to the accused in case of commercial quantity.

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

September 28, 2015.

(Inderjit Singh)
Judge

hsp