

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-34933 of 2015 (O&M)

Date of decision: 19th October, 2015

Satwant Singh alias Satta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

INDERJIT SINGH, J.

Petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.176 dated 24.05.2014, registered at Police Station City Tarn Taran, District Tarn Taran, under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (in short 'the Act').

Notice of motion.

On the asking of the Court, Ms. Simsi Dhir Malhotra, DAG, Punjab, has accepted notice on behalf of respondent(s)-State and contested this petition. Police record is also available.

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

From the record, this Court finds that 80 grams of intoxicant powder was recovered which falls in commercial quantity. It is not contested that this powder does not fall in the commercial quantity. As the recovery from the petitioner is of commercial quantity and Section 37 of the Act bars to grant to bail to the person in case of commercial quantity, therefore, no ground to grant the benefit of regular bail to the petitioner is made out.

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

19th October, 2015
mamta

(INDERJIT SINGH)
JUDGE