

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-39819 of 2015

.....

Date of decision:3.12.2015

Rajesh alias Baba

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Parshant Sethi, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana 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.161 dated 15.2.2015 registered for
the offence under Section 20 of Narcotic Drugs and Psychotropic
Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station
City Hisar, District Hisar.

Notice of motion to Advocate General, Haryana.

On the asking of the Court, Mr. Anmol Malik, learned Assistant
Advocate General, Haryana has put in appearance and accepted notice on
behalf of the respondent-State and contested this petition. Police record is
also available.

[2]

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

As per the prosecution version, one kilogram 100 grams Charas has been recovered from the petitioner which falls in commercial quantity. Therefore, bar of Section 37 of the Act will apply in this case.

Therefore, keeping in view the facts and circumstances of the present case, I do not find it a fit case where the present petitioner is entitled to the benefit of bail.

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

December 3, 2015.

(Inderjit Singh)
Judge

hsp