

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-40693 of 2015 (O&M)
Date of decision: 07th December, 2015

Lakhvir Singh alias Lakha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sandeep Kumar, Advocate,
for Mr. Harchand Singh Batth, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C., for releasing him on bail in case FIR No.244 dated 17.12.2013, registered at Police Station Patti, District Tarn Taran, under Section 22 of the Narcotic Drugs & Psychotropic Substances Act (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 the instant 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.

As per prosecution version, 210 grams intoxicant powder, containing Diphenoxylate Hydrochloride salt was recovered from the possession of petitioner which falls in commercial quantity. Section

37 of the Act bars to grant the bail to the person in case of commercial quantity.

Therefore, finding no merit in the instant petition, the same is dismissed. However, as the petitioner is in custody since 17.12.2013 i.e. for the last about two years, therefore, the learned trial Court is directed to expedite the trial and if requires adjourning the case on day to day basis and dispose of it preferably within four months.

07th December, 2015
mamta

(INDERJIT SINGH)
JUDGE