

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-6337 of 2015

.....

Date of decision:9.3.2015

Baru Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Sarwinder Goyal, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.65 dated 24.7.2014 registered for the offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station Tapa, District Barnala.

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

The first bail petition of the petitioner has already been decided on merit vide order dated 22.12.2014 (Annexure-P.7) passed by this Court in Criminal Misc. No.M-42874 of 2014.

As per prosecution version, from the car in which petitioner Baru Singh was travelling, 80 Kgs. poppy husk has been recovered, which

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falls under commercial quantity. It is held by this Court in earlier order that Section 37 of the Act bars to grant bail to the person in case of commercial quantity.

Therefore, in the facts and circumstances of the present case, no ground is made out for grant of bail. Hence, finding no merit in this petition, the same is dismissed.

March 9, 2015.

(Inderjit Singh)
Judge

hsp