

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-12853-2016 (O&M)
Date of decision : 12.12.2016

Pritam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.34 dated 22.04.2014, registered under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at P.S. Khanauri.

There is no assistance on behalf of the petitioner. Even on the last two consecutive dates, none caused representation on his behalf. However, It is averred in the petition that the petitioner has been falsely implicated in the instant case. He is not involved in any other case. The petitioner is in custody since 22.04.2014.

On the other hand, learned State counsel states that the recovery effected in this case is commercial in nature.

Heard.

In this case, the contraband recovered from the petitioner falls

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under the category of commercial quantity and the bar of Section 37 NDPS Act applies. Therefore, no case for grant of bail is made out.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

The Registry is directed to send a copy of this order to the petitioner, who is presently lodged at District Jail, Sangrur.

12.12.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No