

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-13143 of 2016

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Date of decision:8.8.2016

Rajiv Chopra

...Petitioner

v.

State of Punjab

...Respondent

.....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Bipan Ghai, Senior Advocate with Mr. Mandeep Kaushik,
Advocate for the petitioner.

Mr. P.S. Paul, Deputy Advocate General, Punjab 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.51 dated 24.5.2015 registered for
the offence under Section 21 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police
Station Rahon, District S.B.S. Nagar.

Notice of motion to Advocate General, Punjab.

Mr. P.S. Paul, learned Deputy Advocate General, Punjab has put
in appearance on behalf of respondent-State and contested this petition.

I have heard learned senior counsel for the petitioner and

learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that recovery from the present petitioner is 250 grams Alprazolam, which falls in commercial quantity.

Keeping in view the facts and circumstances of the present case and in view of the recovery of commercial quantity from the petitioner, the bar of Section 37 of the NDPS Act will apply which bars to grant bail to a person in the case of commercial quantity. Therefore, I do not find it a fit case where the petitioner is entitled to the benefit of bail.

In view of the above discussion, I do not find any merit in this petition and the same is dismissed.

August 8, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No