

CRM-M-13293-2016

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

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Date of Decision: 19.08.2016

Ravi Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Divjyot S. Sandhu, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.37 dated 23.06.2014, registered
at Police Station Satnampura, District Kapurthala, under Section 22 of
NDPS Act.

Notice of motion has been issued in this case.

Ms. Shivali, AAG, Punjab has put in appearance on behalf
of the respondent-State and contested this petition.

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

From the record, I find that as per the allegation in the FIR,

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25 vials of injections of Avil 10 Ml. and 25 injections of Norphine were recovered from the petitioner. The recovery effected from the present petitioner falls within the category of commercial quantity. Section 37 of NDPS Act bars the benefit of bail to the accused in case of commercial quantity, therefore, no ground is made out to grant benefit of bail to the petitioner.

Keeping in view the facts and circumstances of the present case and in view of the fact that contraband allegedly recovered from the petitioner falls under commercial quantity, I do not find it a fit case where the petitioner is entitled for benefit of regular bail.

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

19.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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