

CRM-M-15031-2016  
Decided on: 09.05.2016

Jaspal Singh @ Manu

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI**

Present: Mr.Rishu Mahajan, Advocate,  
for the petitioner.

Ms. Jashanpreet Singh, AAG, Punjab.

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**M.M.S. BEDI, J (ORAL)**

Counsel for the petitioner has referred to a number of irregularities during course of recovery and statutory defaults in this case of recovery of 100 grams of salt containing Diphenoxylate Hydrochloride from the petitioner. The petitioner has availed the concession of interim bail from 21.08.2014 to 05.02.2016. Counsel for the petitioner submits that the petitioner had not misused the said liberty.

In the above facts and circumstances of the case and in view of the commercial quantity of Diphenoxylate Hydrochloride having been recovered from the petitioner, provisions of Section 37 of the NDPS Act debar the grant of bail to the petitioner.

Without expression of any opinion of the merits, taking into consideration the fact that the petitioner has already availed the liberty during awaiting period of report of chemical examiner, in a

case of recovery of commercial quantity of Diphenoxylate Hydrochloride and the provisions of Section 37 of the NDPS Act, this petition is dismissed. It is, however, ordered that in case the trial is not concluded within a period of six months after the next date of hearing, the trial Court shall release the petitioner on bail on his furnishing bail bonds/surety bonds to its satisfaction.

**(M.M.S.BEDI)**  
**JUDGE**

**May 09, 2016**  
*anju*