

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

CRM No.M-16417 of 2016 (O&M)

Date of decision: May 19, 2016

Sukhvir Singh alias Navi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.

Mr. P.S.Grewal, DAG, Punjab, for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner-Sukhvir Singh alias Navi has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.120 dated 14.09.2014, registered at Police Station Nehianwala, District Bathinda, under Sections 21 and 22 of Narcotic Drugs & Psychotropic Substances Act, 1985.

Notice of motion to the respondent-State.

On asking of the Court, Mr. P.S.Grewal, DAG, Punjab, accepts notice on behalf of the respondent-State and contested this petition.

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

As per prosecution version, 12 vials of Rexcof (100 ml each) and 5gms of heroin has been recovered from the petitioner, which falls under commercial quantity. As there is specific bar under Section 37 of Narcotic Drugs & Psychotropic Substances Act, 1985 to grant bail in case of commercial quantity, therefore, I do not find it a fit case where the petitioner is entitled to benefit of grant of bail.

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

However, as the petitioner is in custody since 14.09.2014, therefore, learned trial Court is directed to dispose of the case within 6 months, from today, as per law by giving short adjournments and if requires to adjourn the case on day to day basis. Investigating Officer/SHO concerned is also directed to produce all the unexamined witnesses before the learned trial Court on the next date.

May 19, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE