

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18509-2016

Date of Decision:- 20.09.2016

Ajay Gupta

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Ms. Dhivya Jerath, Advocate
for the petitioner.**

Mr. D.K. Singla, DAG, Haryana.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.29 dated 21.01.2016, under Sections 312, 313 and 511 IPC and Sections 3, 4 and 5 of MTP, Act and Section 22 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He is the licensed stockiest and the drugs recovered from his possession are not banned drugs. So, he be released on regular bail.

Learned State counsel has informed that since the commercial quantity of contraband was recovered from the possession of the petitioner ,

therefore, he is not entitled to the concession of regular bail.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

Since, the commercial quantity was recovered from the possession of the petitioner, so, the mandatory provisions of the NDPS Act, are fully applicable to the instant case. Accordingly, the petitioner is not entitled to the benefit of regular bail and the bail application filed by him is hereby dismissed.

September 20, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No