

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-19036 of 2016 (O&M)

Date of Decision: July 27, 2016

Raj Kumar alias Raju

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.A.S.Mann, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.104 dated 26.10.2013 under Sections 15 and 22 of the NDPS Act, registered at Police Station Boha, District Mansa.

Notice of motion.

On asking of the Court, Ms.Shivali, Asstt. Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and contests the petition.

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

Police record is also available.

From the record, I find that in the present case, the recovery from the petitioner is of 138 bags of poppy husk each weighing 40 kgs., which falls under commercial quantity and Section 37 of the NDPS Act bars

the grant of bail to the accused in case of commercial quantity.

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

However, as the petitioner is in custody since 26.10.2013, therefore, the trial Court is directed to expedite the trial of the case. It has been brought to my notice that next date before the trial Court is 08.08.2016. The Investigating Officer/SHO is directed to produce some witnesses on the date fixed and remaining witnesses on the next date before the trial Court.

July 27, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No