

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-23115 of 2016

.....

Date of decision:29.7.2016

Anil

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Jai Bhagwan Sharma, Advocate for the petitioner.

Mr. B.S. Virk, Deputy Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.172 dated 26.11.2015 registered for the offence under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police Station Alewa, District Jind.

Notice of motion to Advocate General, Haryana.

Mr. B.S. Virk, learned Deputy Advocate General, Haryana has put in appearance on behalf of respondent-State and contested this petition.

Police record is also available.

I have heard learned counsel for the petitioner and learned

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Deputy Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that 7 Kgs. 300 grams Charas has been recovered from the petitioner. The recovery from the present petitioner falls in the commercial quantity. Therefore, bar of Section 37 of the NDPS Act will apply in this case and the petitioner is not entitled to the benefit of bail.

Therefore, in view of the above discussion, I do not find any merit in this petition and the same is dismissed.

July 29, 2016.

(Inderjit Singh)
Judge

hsp

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