

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

**CRM-M No.2316 of 2016 (O&M)
Date of Decision: 23.02.2016**

Renu @ Bevi

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Mr. R.S.Randhawa, Additional Advocate General, Punjab
for the respondent/State assisted by ASI Harjeet Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Renu @ Bevi in case FIR No.219 dated 09.12.2014, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act and Sections 61/1/14 of the Excise Act, registered with Police Station Kotwali Kapurthala, District Kapurthala (**Annexure P-1**).

There is a recovery of 110 grams of *Intoxicating Powder*, which as per FSL Report, contains *Diphenoxylate Hydrochloride* of a percentage, which concededly renders the entire quantity to be commercial in nature.

The State has also filed reply wherein it is mentioned that the petitioner is also involved in three other FIRs under the Excise Act.

Keeping in view the seized quantity being commercial in nature, no ground for grant of bail to the petitioner is made out in the light of the bar under Section 37 of the NDPS Act.

Accordingly, the present petition is dismissed.

February 23, 2016

Gagan

**(JASWANT SINGH)
JUDGE**