

CRM-M-25535-2016

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

CRM-M-25535-2016

Date of Decision: 10.08.2016

Massa Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.P.S.Sidhu, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

INDERJIT SINGH, J.

Petitioner-Massa Singh has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.155 dated 18.09.2015, registered at Police Station Dharamkot, District Moga, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act').

Notice of motion has been issued in this case.

Ms. Shivali, Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition. Police record has also been produced.

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

From the record, I find that as per the allegation in the FIR,

CRM-M-25535-2016

heroin weighing 600 grams was recovered from the present petitioner. The aforesaid recovery falls under commercial quantity, therefore, no ground is made out to grant benefit of bail to the petitioner as Section 37 of the NDPS Act bars the benefit of bail to the accused in case of commercial quantity.

Keeping in view the facts and circumstances of the present case and in view of the fact that contraband allegedly recovered from the petitioner falls under commercial quantity, I do not find it a fit case where the petitioner is entitled for benefit of regular bail.

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

10.08.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No