

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-26288 of 2016

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Date of decision:27.10.2016

Dapinder Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. A.P. Kaushal, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab 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.72 dated 21.4.2016 registered for
the offence under Section 22 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police
Station Dakha, District Ludhiana Rural.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab 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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Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that the recovery from the petitioner is 15 bottles of Rexcof Syrup which 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.

September 27, 2016.

(Inderjit Singh)
Judge

hsp

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