

CRM-M-31237-2016

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

CRM-M-31237-2016

Date of Decision: 09.11.2016

Mahender Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. M.S.Randhawa, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Addl. A. G. Haryana.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.138 dated 22.03.2016, registered at Police Station City Fatehabad, District Fatehabad, under Sections 21-B and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, 'NDPS Act').

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

From the record, I find that as per the FIR, 345 bottles of Rexcof have been recovered from co-accused. There is allegation against the present petitioner that he has supplied Rexcof bottles. The aforesaid recovery falls under commercial quantity. Section 37 of the NDPS Act bars the benefit of bail to the accused in case of commercial quantity.

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Keeping in view the facts and circumstances of the present case, in view of the facts that case has been registered against the petitioner under Section 27-A of the NDPS Act and recovery effected in the present case falls in commercial quantity, I do not find it a fit case where the petitioner is entitled for the benefit of regular bail.

Dismissed.

09.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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