

CRM-M-31406-2016

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

CRM-M-31406-2016

Date of Decision: 08.09.2016

Charanjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. G.S.Toor, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.92 dated 05.07.2014, registered at Police Station Lambi, District Sri Muktsar Sahib, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act (for brevity, 'NDPS Act')

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

From the record, I find that as per the allegations, 910 gram intoxicating powder was recovered from the car in which the petitioner alongwith co-accused Gurmeet Singh was travelling. The intoxicating powder was containing salt Diphenoxylate Hydrochloride. 50 grams or more of this salt fall within the category of commercial quantity. Section 37 of the NDPS Act bars the benefit of bail to the accused in case of

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commercial quantity. Therefore, no ground is made out to grant benefit of bail to the petitioner.

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 the benefit of anticipatory bail.

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

08.09.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

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