

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

CRM-M-33001-2016 (O&M)

Date of decision: September 23, 2016

Chamkaur Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Raj Kumar Gupta, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.63 dated 04.08.2015 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') registered at Police Station Malaud, District Ludhiana.

Notice of motion.

On asking of the Court, Ms. Shivali, AAG, Punjab, who is present in the Court, accepted notice on behalf of the respondent-State and contested the petition.

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

As per the prosecution version, earlier when the accused was apprehended 6 kg poppy husk was recovered. Then during interrogation accused made disclosure statement and got recovered 75 Kg. poppy husk.

Keeping in view the fact that the recovery from the present petitioner falls under commercial quantity and Section 37 of the NDPS Act

bars the grant of bail to the accused in the case of commercial quantity.

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

23.09.2016

sp

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No.