

CRM-M-36254-2016

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

CRM-M-36254-2016

Date of Decision: 01.12.2016

Bhupinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. P.S.Grewal, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner, Bhupinder Singh, has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.81 dated 06.06.2016, registered at Police Station City-I, Malerkotra, District Sangrur, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

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

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

From the record, I find that as per the prosecution version,

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accused was arrested from the Skoda car and 30 bottles of Corex (100 ml. each) were recovered. The aforesaid recovery falls in commercial quantity. Section 37 of the NDPS Act bars the benefit of bail to accused in case of commercial quantity.

Learned counsel for the petitioner mainly argued that the petitioner was found innocent by the inquiry conducted by DSP. However, learned State counsel submitted that the Superintendent of Police did not agree with the inquiry.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without commenting on merits of the case and in view of the fact that aforesaid recovery falls in commercial quantity, I do not find it a fit case where the petitioner is entitled for the benefit of regular bail.

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

01.12.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No