

CRM-M-37576-2016

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

CRM-M-37576-2016

Date of Decision: 26.10.2016

Gurinder Singh @ Bau

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Maninder Arora, 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.223 dated 24.05.2015, registered at Police Station City Phagwara, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act').

Notice of motion.

On the asking of Court, Ms. Shivali, learned Assistant Advocate General, Punjab has 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 allegation in FIR, 140 grams intoxicating powder, containing 'Alprazolam Salt', was recovered.

The aforesaid recovery falls under commercial quantity. Section 37 of the

CRM-M-37576-2016

NDPS Act bars the benefit of bail to the accused in case of commercial quantity, therefore, no ground is made out to grant benefit of regular bail to the petitioner.

Keeping in view the facts and circumstances of the present case and in view of the fact that intoxicating powder 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 regular bail.

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

26.10.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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