

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

Sr. No.204

CRM NO. M-40156 of 2016
DECIDED ON: December 06, 2016

PREM KUMAR

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rahul Bhargava, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Section 438 Cr.P.C. petitioner – Prem Kumar has sought pre-arrest bail feeling apprehension of his arrest in case FIR No.219, dated 09.11.2014, under Sections 21, 22, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station C-Division, District Amritsar City.

Admittedly, petitioner was granted the concession of interim bail on account of delay in furnishing the report of the chemical examiner. Instead of complying with that order of surrender after the expiry of the period provided for interim bail, he has filed instant petition under Section

CRM NO. M-40156 of 2016

438 Cr.P.C. As far as recovery of narcotic drugs is concerned that falls within the ambit of commercial nature where Section 37 of the Act is applicable.

No ground for pre-arrest bail is made out. Dismissed.

December 06, 2016

Avin/Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No