

CRM-M-40439-2016

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

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Date of Decision: 18.11.2016

Ravinder Singh @ Lakha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. M.S.Uppal, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner, Ravinder Singh @ Lakha has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.104 dated 26.10.2013, registered at Police Station Boha, District Mansa, under Sections 15 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act').

Notice of motion has been issued. Learned State counsel has appeared 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 in the present case, recovery from the petitioner is of 138 bags of poppy husk, each bag weighing 40

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kgs. The aforesaid recovery falls under commercial quantity. Section 37 of the NDPS Act bars the grant of bail to the accused in case of commercial quantity.

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

Trial Court has already been directed to expedite the disposal of the case vide order dated 27.07.2016 passed in CRM-M-19036-2016, filed by co-accused Raj Kumar alias Raju. Trial Court is again directed to dispose of the case at the earliest, preferably within three months from the next date fixed before it. This direction is to be complied with strictly. Concerned SSP is directed to look into the matter personally and ensure the presence of the witnesses before the trial Court without any delay. Investigating Officer of this case is also directed to appear before the trial court and produce the witnesses. The court concerned be informed accordingly.

18.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No