

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-42865 of 2016

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Date of decision:8.12.2016

Harjinder Singh alias Baljinder Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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

Mr. P.S. Grewal, Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.96 dated 3.9.2011 registered for the offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police Station Dharamkot, District Moga.

Notice of motion to Advocate General, Punjab.

Mr. P.S. Grewal, learned Deputy Advocate General, Punjab has put in appearance on behalf of respondent-State and contested this petition.

Police record is also available.

I have heard learned counsel for the petitioner and learned

Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that 705 Kgs. of poppy husk has been recovered from the petitioner which falls in commercial quantity. Therefore, bar of Section 37 of the NDPS Act will apply in this case which provides that bail cannot be granted in the case of commercial quantity, hence the petitioner is not entitled to the benefit of bail.

Therefore, in view of the above discussion, I do not find any merit in this petition and the same is dismissed.

However, as the petitioner has been in custody for the last about one year, the trial Court is directed to expedite the trial by giving short adjournments.

December 8, 2016.

(Inderjit Singh)
Judge

hsp

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