

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

**CRM-M No.41951 of 2015 (O&M)
Date of Decision: 29.03.2016**

Punjab Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Kirpal Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Punjab Singh in case FIR No.35 dated 04.04.2015, under Sections 21/61/85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station Valtaha, District Tarn Taran, Punjab.

The petitioner was apprehended and a recovery of 500 grams of *Heroin* was effected from the right pocket of the *Kurta*, which he was wearing. The said quantity is concededly commercial in nature.

The petitioner is stated to be in custody since 04.04.2015.

Learned State Counsel, assisted by ASI Kirpal Singh, submits that the petitioner is also involved in another FIR under the NDPS Act and the case is at the stage of initiation of the prosecution evidence.

Keeping in view the bar under Section 37 of the NDPS Act and the seized quantity being commercial in nature, no case for grant of regular bail is made out.

Accordingly, the present petition is dismissed.

March 29, 2016

Gagan

**(JASWANT SINGH)
JUDGE**