

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

(221)

CRM-M-4648-2016

Decided on: February 12, 2016.

Harpreet Singh @ Preet

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ranjit Saini, Advocate, for
Mr. Ranjit Sharma, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

M.M.S. BEDI, J (ORAL)

Proxy counsel for the petitioner submits that Mr. Ranjit Sharma, Advocate, arguing counsel for the petitioner, is not available. However, he has argued that recovery of heroin recovered from the petitioner is non-commercial quantity.

I have gone through the police file which indicates that the recovery from the petitioner is of a white powder weighing 100 grams which on analysis has been found to contain diphenoxylate hydrochloride for which any quantity above 50 grams would be commercial quantity.

It appears that an attempt has been made to mislead the Court. Proxy counsel for the petitioner states that he has not been properly instructed.

Proxy counsel for the petitioner has also submitted that the petitioner had been granted interim bail during the awaiting period of report of Forensic Science Laboratory.

In view of commercial quantity of diphenoxylate hydrochloride having been recovered from the petitioner, no ground is made out to grant him bail in view of provisions of Section 37 of the NDPS Act.

Dismissed.

(M.M.S. BEDI)
JUDGE

February 12, 2016
harsha