

CRM-M-79-2016

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

CRM-M-79-2016

Date of Decision:19.08.2016

Chhinder Kaur

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.S.Sullar, Advocate,
for the petitioner.

Mr. Vikramjit Singh, Addl. A. G. Haryana.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.320 dated 22.10.2015,
registered at Police Station City Mandi Dabwali, under Sections 21, 22
and 27-A of NDPS Act.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, Addl. A. G. Haryana has put in
appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned
State counsel and have gone through the record.

From the record, I find that from the non-applicants, namely,
Lakhwinder Singh @ Pinder and Sukhander Singh @ Mander Singh,

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100 bottles of Rexcof cough syrup (100 ml. Each) have been recovered. The said recovery falls within the category of commercial quantity. The non-applicants/accused made disclosure statement that they had brought said Rexcof bottles from the present petitioner and they had to receive ₹1,000/- each as commission on the sale of sale of said bottles from the present petitioner.

The allegation against the present petitioner attracts the provisions of Section 27-A of NDPS Act. As the alleged recovery falls under commercial quantity, therefore, no ground is made out to grant benefit of bail to the petitioner as bar under Section 37 of the NDPS Act will apply in the present case. Furthermore, the petitioner is required for custodial interrogation.

Keeping in view the facts and circumstances of the present case and in view of the fact that alleged recovery falls within the category of commercial quantity, I do not find it a fit case where the petitioner is entitled for benefit of anticipatory bail.

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

19.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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