

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-10457 of 2017

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Date of decision:4.5.2017

Harpal Singh alias Happy

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. U.S. Lakhanpal, Advocate for Mr. L.S. Lakhanpal,
Advocate for the petitioner.

Mr. V.P.S. Sidhu, Assistant Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.87 dated 24.4.2015 registered for the offence under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police Station Bhargo Camp, District Jalandhar.

Notice of motion to Advocate General, Punjab.

Mr. V.P.S. Sidhu, learned Assistant Advocate General, Punjab

has put in appearance on behalf of respondent-State and contested this

petition.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

A perusal of the record shows that 200 Grams of powder has been recovered from the petitioner containing the salt Diphenoxylate which falls in commercial quantity. Therefore, bar of Section 37 of the NDPS Act will apply in this case and 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.

May 4, 2017.

(Inderjit Singh)
Judge

hsp

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