

**CRM No.M-13733 of 2017 and
CRM No.M-18603 of 2017**

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

Date of Decision:21.07.2017

1. CRM No.M-13733 of 2017

Bashir Ahmed Saffi

...Petitioner

Versus

State of Punjab

...Respondent

AND

2. CRM No.M-18603 of 2017

Mustak Dar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Surinder Thakur, Advocate,
for the petitioners (in both the petitions).

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J.

This order shall dispose of CRM No.M-13733 of 2017, filed by
petitioner-Bashir Ahmed Saffi and CRM No.M-18603 of 2017 filed by
petitioner-Mustak Dar, under Section 439 of the Code of Criminal
Procedure, 1973 for grant of regular bail in case FIR No.19 dated

**CRM No.M-13733 of 2017 and
CRM No.M-18603 of 2017**

14.02.2017, registered at Police Station Sadar Hoshiapur, District Hoshiarpur, under Section 15 of the NDPS Act, 1985.

Notice of motion was issued in both these petitions. Learned State counsel has appeared on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

From the record, I find that both the petitioners were apprehended at the spot alongwith a car and poppy husk weighing 91 kgs was recovered from the car. The recovery effected in the present case falls in the commercial quantity. Section 37 of the NDPS Act, 1985 bars the benefit of bail to the accused in case of recovery of commercial quantity.

Keeping in view the facts and circumstances of the present case and in view of the fact that recovery effected in the present case falls under commercial quantity, I do not find it a fit case where the petitioners are entitled to the benefit of regular bail.

Therefore, finding no merit in the present petitions, the same are dismissed.

21.07.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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