

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

CRM-M No.14295 of 2017

Date of decision: 8th September, 2017

Deepak Kumar & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Karan Garg, Advocate for the petitioners.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioners Deepak Kumar and Gaurav in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.21 dated 23.01.2017 registered at Police Station Raman, District Bathinda under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, 'the Act'), are that on 23.01.2017 from the conscious possession of the petitioners 16 vials of Corex syrup containing 100 ml each and 12 strips of carisoma tablets each containing 10 tablets were recovered leading to arrest of the petitioners.

Contentions of the learned counsel for the petitioners are that both the petitioners are behind bars from the date of their arrest i.e. 23.01.2017 and trial is not likely to conclude in near future.

Though the factual scenario could not be displaced by learned State counsel but he has stoutly opposed grant of relief to the petitioners on the ground of quantity of the contraband recovered being commercial in nature and the provisions of the Act bars such a relief and that too in the case of commercial quantity.

Appreciating the submissions, learned counsel for the petitioners could not displace the fact that a commercial quantity of contraband has been recovered from conscious possession of both the petitioners. In the light of the same and in view of the stringent provisions of law discouraging such a relief together with the fact that in view of the allegations no case for grant of bail is made out, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

September 8, 2017

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No