

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-15726 of 2017

.....

Date of decision:24.5.2017

Bhupinder Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. R.S. Bassi, Advocate for the petitioner.

Mr. K.S. Aulakh, Assistant Advocate General, Punjab for the
respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.81 dated 6.6.2016 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 City-I, Malerkotla, District Sangrur.

Notice of motion to Advocate General, Punjab.

Mr. K.S. Aulakh, 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.

Learned State counsel has brought it to my notice that the case is fixed for defence evidence. As the trial is already complete and further the first bail petition has already been dismissed by this Court by a speaking order that the recovery falls in the commercial quantity and Section 37 of the NDPS Act bars the benefit of bail to the accused in case of commercial quantity, therefore, I find no ground to release the petitioner on bail.

Finding no merit in this petition, the same is dismissed.

May 24, 2017.

(Inderjit Singh)
Judge

hsp

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