

**CRM-M-17226-2017**

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

**CRM-M-17226-2017**

**Date of Decision: 31.05.2017**

Dharamraj

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Abhilaksh Grover, Advocate,  
for the petitioner.

Mr. V.P.S.Sidhu, AAG, Punjab.

**INDERJIT SINGH, J.**

Petitioner-Dharamraj has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.55 dated 14.04.2016, registered at Police Station Bhawanigarh, District Sangrur, under Section 18 of the NDPS Act, 1985.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

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

From the record, I find that as per the prosecution version, 5 kgs of opium has been recovered in the present case. The aforesaid recovery falls under commercial quantity. Section 37 of the NDPS Act,

**CRM-M-17226-2017**

1985 bars the benefit of bail to the accused in case of commercial quantity.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute details and without expressing any opinion on the merits of the case, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail.

Dismissed.

**31.05.2017**

parveen kumar

**(INDERJIT SINGH)  
JUDGE**

|                           |   |     |
|---------------------------|---|-----|
| Whether speaking/reasoned | : | Yes |
| Whether reportable        | : | No  |