

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

**1. CRM-M-17745 of 2017  
Date of Decision: 25.09.2017**

Davinder Singh

....Petitioner

**VERSUS**

State of Punjab

....Respondent

**2. CRM-M-18354 of 2017**

Sahib Singh

....Petitioner

**VERSUS**

State of Punjab

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Gulshan Sharma, Advocate  
for the petitioners in both the petitions.

Mr. Luvinder Sofat, A.A.G. Punjab

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**SURINDER GUPTA, J.(Oral)**

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No.20 dated 17.01.2015 registered for offences punishable under Sections 15, 18, 21, 22 and 29 of Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station City Ferozepur, District Ferozepur.

Heard.

Recovery from petitioners is of 279 gms. and 250 gms. of Alprazolam, a contraband, respectively which falls in commercial quantity.

Learned counsel for petitioners has sought regular bail for petitioners on the ground that after their release on interim bail, they were taken into custody on 16.02.2017. The secret information in this case was

against seven persons and only three were arrested.

Learned State counsel submits that both the petitioners are habitual offenders. Against petitioner-Sahib Singh in CRM-M-18354-2017, there are five cases including four under the provisions of NDPS Act, while against petitioner-Davinder Singh in CRM-M-17745-2017, two more cases registered under the NDPS Act, are pending. Both are habitual offenders and recovery of contraband is of commercial quantity.

The fact that police, despite receiving secret information against seven persons, arrested only three persons is no reason to be considered for grant of bail to petitioners. Recovery of contraband effected from them falls in commercial quantity and under Section 37 NDPS Act, no special reasons are made out to grant regular bail to petitioners at this stage.

Dismissed.

**September 25, 2017**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No