

CRM-M-18218-2017

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

CRM-M-18218-2017

Date of Decision: 25.05.2017

Amrik Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mandeep Kumar Dhot, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Amrik Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.196 dated 05.08.2014, registered at Police Station Patti, District Tarn Taran, under Section 22 of the NDPS Act.

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

From the record, I find that 100 grams of intoxicant powder was recovered from the present petitioner. Earlier, the petitioner was stated to be granted interim bail till the receipt of FSL. Now, the report of FSL has been received and as per the same, the intoxicant powder was found to be containing 'Diphenoxylate Hydrochloride'. The aforesaid recovery falls under commercial quantity. Section 37 of the NDPS Act bars the benefit of

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bail to the accused in case of commercial quantity.

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

Therefore, finding no merit in the present petition, the same is dismissed.

25.05.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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