

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-18648 of 2017

.....

Date of decision:30.5.2017

Paramjit Singh alias Pamma

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Deepender Singh, Advocate for the petitioner.

Mr. V.P.S. Sidhu, 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.3 dated 7.1.2015 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 Gardhiwal, District Hoshiarpur.

Notice of motion to Advocate General, Punjab.

Mr. V.P.S. Sidhu, 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.

As per the prosecution version, 450 Grams of intoxicant powder containing Alprazolam was recovered. The recovery falls in commercial quantity. Therefore, bar of Section 37 of the NDPS Act will apply in this case, which bars the grant of bail in case of commercial quantity, hence the petitioner is not entitled to the benefit of bail.

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

However, since the petitioner has been in custody since 7.1.2015 i.e. for the last more than two years and four months, the trial Court is directed to expedite the trial of the case by giving short adjournments, even if required by giving day to day adjournments. The Investigating Officer/S.H.O. of concerned Police Station are directed to produce the witnesses at the earliest preferably within next two to three days.

May 30, 2017.

(Inderjit Singh)
Judge

hsp

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