

CRM-M-22249-2017

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

CRM-M-22249-2017

Date of Decision: 03.07.2017

Ravinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Manmeet Singh Rana, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Ravinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.61 dated 25.05.2015, registered at Police Station Sadar Phagwara, District Kapurthala, under section 22 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. Police record is also available.

CRM-M-22249-2017

From the record, I find that as per the case of prosecution, 70 grams of intoxicant powder containing 'Diphenoxylate Hydrochloride', was recovered from the present petitioner. The aforesaid recovery falls under commercial quantity. Section 37 of the NDPS Act, 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 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 regular bail.

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

03.07.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No