

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

CRM No.M-24221 of 2017 (O&M)

Date of decision: August 11, 2017

Balvir Singh alias Bira

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Monita Mehta, Advocate,
for the petitioner.

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

INDERJIT SINGH, J.

Petitioner-Balvir Singh alias Bira filed this 3rd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.158 dated 22.06.2015, registered at Police Station Sahahkot, District Jalandhar City, under Section 15 of the Narcotic Drugs and Psychotropic Substances 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 in the present case, the petitioner along with co-accused were found in possession of 18 bags containing 36 kg poppy husk each.

The recovery effected from the present petitioner falls in commercial quantity.

Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, specifically bars the grant of bail in case of commercial quantity.

Keeping in view the facts and circumstances of the present case, I do not find it a fit case where the petitioner is entitled to benefit of regular bail.

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

However, as the petitioner is in custody since 22.06.2015, therefore, learned trial Court is directed to expedite the trial by giving short adjournments and if required even by adjourning the case on day to day basis. The Investigating Officer/Station House Officer of the concerned police station, is also directed to produce the remaining witnesses before the learned trial Court as early as possible.

August 11, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No