

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

CRM No.M-25009 of 2017 (O&M)

Date of Decision: July 24, 2017

Naina Ram

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Jitender Dhanda, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.124 dated 23.03.2017 under Section 15 of the NDPS Act, registered at Police Station Sadar Tohana.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

Police record is also available.

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

From the record, I find that in the present case, 2 kgs. 600 grams of opium has been recovered from the co-accused, which falls under commercial quantity and the co-accused stated that they had purchased the

same from the present petitioner.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the petitioner is required for custodial interrogation. Moreover, Section 37 of the NDPS Act bars the grant of bail to the accused in the case of commercial quantity.

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

July 24, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No