

CRM-M-25660-2017

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

CRM-M-25660-2017

Date of Decision: 20.11.2017

Bhupinder Singh

... Petitioner

Versus

Narcotic Control Bureau, Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Nandan Jindal, Advocate,
for the petitioner.

Mr. D.D.Sharma, Standing Counsel,
for the respondent.

INDERJIT SINGH, J.

Petitioner-Bhupinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in NCB Case Crime No.20/2016 dated 13.05.2016/complaint case No.45 dated 08.11.2016, titled as 'Narcotic Control Bureau, Chandigarh vs. Budhi Singh and others', under Sections 8, 20, 23 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act, 1985'), pending in the Court of learned Special Judge, SAS Nagar, Mohali.

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

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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 recovery of 3.130 kg of charas was effected in the present case. The aforesaid recovery falls in commercial category. Section 37 of the NDPS Act, 1985 bars the grant 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 in the present case falls in 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, same is dismissed.

20.11.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No