

CRM-M-26790-2017

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

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Date of Decision: 04.08.2017

Amarpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

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

INDERJIT SINGH, J.

Petitioner-Amarpal Singh has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.11 dated 17.02.2016, registered at Police Station Sadar Rajpura, District Patiala, 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.

From the record, I find that in the present case, recovery of 4000 tablets of Microlit has been effected. The aforesaid recovery falls

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in 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 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, the same is dismissed.

However, as the petitioner has been in custody since 17.12.2016, trial Court is directed to conclude the trial expeditiously, preferably within four months, by giving short adjournments or even by adjourning the case on day to day basis, if necessary. The investigating officer of the present case/Station House Officer of the concerned police station is directed to produce the remaining witnesses before the trial Court on the next two or three dates. If the witnesses are not produced before the trial Court, it will inform this Court about the same.

04.08.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No