

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-26961 of 2017

.....

Date of decision:1.8.2017

Karaj Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

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

Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate General,
Punjab for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.21 dated 17.12.2016 registered for the offences under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') and Sections 489-A, 489-B and 489-C of IPC at Police Station State Special Operation Cell, Amritsar.

Notice of motion to Advocate General, Punjab.

Mr. Gaurav Garg Dhuriwala, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned

Senior Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that as per the prosecution version 600 Grams opium was recovered from the car which was being driven by the present petitioner. Co-accused Malkit Singh was sitting on the front seat with him and having polythene packet on his legs. The recovery of 600 Grams opium falls in commercial quantity. Section 37 of the NDPS Act bars for the grant of bail. Therefore, no ground is made out for grant of bail to the petitioner in view of the bar of Section 37 of the NDPS Act.

Therefore, in view of the above discussion, I do not find any merit in this petition and the same is dismissed.

August 1, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No