

CRM-M-27459-2017

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

**CRM-M-27459-2017
Date of Decision: 30.08.2017**

Harpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.S.Dhindsa, Advocate,
for the petitioner.

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

INDERJIT SINGH, J.

Petitioner-Harpreet Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of interim bail for one month in case FIR No.39 dated 02.05.2016, registered at Police Station Sadar Rajpura, District Patiala, under section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act, 1985').

Notice of motion was issued. Learned State counsel appeared and filed reply on behalf of respondent-State.

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

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From the record, I find that in the present case, recovery of 10 kgs of opium has been effected and the aforesaid recovery falls in commercial category. Section 37 of the NDPS Act, 1985 bars the benefit of bail to the accused in case of commercial quantity.

Learned counsel for the petitioner requested that interim bail be granted to the petitioner on the ground that his mother, Paramjit Kaur, is seriously ill and is under treatment.

Reply filed by the State has been perused. Statement of Dr. S.S.Kajaria, MBBS, City Hospital, Tarn Taran has been annexed alongwith reply. In his statement, Dr. S.S.Kajaria has stated that treatment of Paramjit Kaur can run for 2-3 years. As per learned State counsel, Paramjit Kaur is being looked after by her husband, Rajpal Singh.

Keeping in view the facts and circumstances of the present case, I find that no ground is made out for grant of interim bail to the petitioner, especially when his mother is being looked after by his father.

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

30.08.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No