

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

205

CRM-M-30846-2017.

Date of Decision: 25.09.2017.

Jasvir Singh @ Jassa

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Paramjit Singh Bal, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Ramendra Jain, J.(Oral)

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case First Information Report No.92 dated 30.05.2015 under Section 22/25/61/85 of the N.D.P.S. Act registered at Police Station Sadar, Khanna.

According to the prosecution, 105 grams of Diphenoxylate Hydrochloride powder was recovered from the petitioner, which falls within the definition of “commercial quantity” under the N.D.P.S. Act.

The petitioner has already been charge-sheeted according to the State counsel.

The facts of Gaunter Edwin Kircher vs. State of Goa, Secretariat Panji, Goa, 1993 AIR (SC) 1456 are not identical to the facts of the present case, therefore, no benefit of the citation referred to by learned counsel for the petitioner can be given to the petitioner.

Considering the recovery of commercial quantity of contraband from the petitioner, he does not deserve the concession of regular bail. Accordingly, the present petition is dismissed.

(RAMENDRA JAIN)
JUDGE

25.09.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No