

CRM-M-33428-2017

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

**CRM-M-33428-2017(O & M)
Date of Decision: 11.12.2017**

Harbhej Singh alias Gurbhej Singh alias Bheja

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Upender Prasher, Advocate,
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Harbhej Singh alias Gurbhej Singh alias Bheja has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.274 dated 04.11.2015, registered at Police Station Sultanwind, District Amritsar City, under Sections 379, 379-B, 382, 399, 402,411, 472, 148 and 149 of IPC and Sections 25 and 27 of the Arms Act, 1959 and Sections 21, 22 and 29 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.

CRM-M-33428-2017

From the record, I find that as per the FIR, five young persons were apprehended and pistols and 12 bore guns were recovered from them and 1 kg 40 grams of intoxicant powder containing '*Alprazolam*' was recovered from the car. The aforesaid quantity of intoxicant powder 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; in view of the fact that recovery effected in the present case falls in commercial quantity and in view of other allegations levelled against the present petitioner, 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 04.11.2015, trial Court is directed to conclude the trial expeditiously by giving short adjournments or even by adjourning the case on day to day basis, if necessary. The Investigating Officer/SHO concerned is directed to produce the witnesses before the trial Court at the earliest, preferably on the next two-three dates.

11.12.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No