

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

CRM No.M-33636 of 2017 (O&M)

Date of decision: September 18, 2017

Surinder Singh alias Sonu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajinder Singh Aulakh, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Surinder Singh alias Sonu has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.161 dated 03.08.2016, registered at Police Station City South, Moga, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued. Mr. Gaurav Garg Dhuriwala, Sr. Deputy Advocate General, Punjab, has put in appearance on behalf of the respondent-State 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 500 grams intoxicant powder containing salt 'Alprazolam' is alleged to have been recovered from the possession of the petitioner. This recovery effected from the present petitioner falls in commercial quantity.

Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, specifically bars the grant of bail in case of commercial quantity.

Keeping in view the facts and circumstances of the present case, I do not find it a fit case where the petitioner is entitled to benefit of regular bail.

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

September 18, 2017
rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No