

CRM-M- 34186-2017

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

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Date of Decision: 22.09.2017

Harbhajan Singh alias Billu alias Rana

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karanjeet Singh Brar, Advocate,
for the petitioner.

Mr. A.P.S.Gill, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Harbhajan Singh alias Billu alias Rana has filed this 2nd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.325 dated 20.12.2015, registered at Police Station Sadar Ferozepur, District Ferozepur, under Sections 21, 25 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.

From the record, I find that recovery effected in the present case is 22 kgs. of heroin. The aforesaid recovery falls in commercial

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quantity. 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 and in view of the facts that heavy recovery of heroin has been effected in the present case and the same falls in commercial quantity, 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 01.12.2015, trial Court is directed to expedite the disposal of the case by giving short adjournments or even by adjourning the case on day to day basis, if necessary.

22.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No