

CRM-M-35975-2017

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

CRM-M-35975-2017

Date of Decision: 03.10.2017

Ravinder @ Ravi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Manjeet Singh, Advocate for
Mr. Jasbir Mor, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Ravinder @ Ravi has filed this 3rd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.138 dated 22.03.2016, registered at Police Station City Fatehabad, District Fatehabad, under Sections 21-B and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '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-35975-2017

From the record, I find that in the present case, 345 bottles of Rexcof cough syrup weighing 100 ml each, have been recovered. The aforesaid recovery 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 and in view of the fact that heavy recovery of Rexcof bottles have been effected in the present case which falls in commercial quantity, I do not 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 22.03.2016, therefore, the trial Court is directed to expedite the trial by giving short adjournments or even by adjourning the case on day to day basis, if necessary.

03.10.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No