

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

**CRM No.M-3611 of 2017 (O&M)
Date of Decision: February 08, 2017**

Majid Miya

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.C.L.Pawar, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.65 dated 29.04.2016 under Section 20 of the NDPS Act, registered at Police Station Shambhu, District Patiala.

Notice of motion.

On asking of the Court, Mr.Deep Singh, Asstt. Advocate General, Punjab who is present in the Court, accepted notice on behalf of the respondent-State and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, 8 kgs. of charas has been recovered from the petitioner, which falls under commercial quantity. Section 37 of the NDPS Act bars the grant of bail to the accused

in the case of commercial quantity.

Keeping in view the nature and gravity of the offence, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I do not find it a fit case where petitioner is entitled to benefit of regular bail.

Therefore, finding no merit in the present case the same is dismissed.

February 08, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No