

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

CRM No.M-3859 of 2017 (O&M)

Date of Decision: March 17, 2017

Mangat Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mrr.Arsdeep singh Brar, Advocate
for the petitioner.

Mr.Deep Singh, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.28 dated 23.03.2014 under Section 15 of the NDPS Act registered at Police Station Mehna, District Moga.

Notice of motion was issued. Learned State counsel appeared 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, FIR was registered on the basis of secret information. The vehicle along with 140 kgs. of poppy husk has been recovered. Though the petitioner is not apprehended on the spot, but 140 kgs. poppy husk has been recovered which falls in

commercial quantity. Section 37 of the NDPS Act bars benefit of bail to the accused in the case of commercial quantity. Furthermore, the vehicle is stated to be owned by present petitioner. Earlier, present petitioner was declared Proclaimed Offender and then he surrendered before the Court.

Keeping in view the facts and circumstances of the present case, 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 the petitioner is entitled to benefit of bail.

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

March 17, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No