

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

CRM No.M-39598 of 2017 (O&M)
Date of Decision: November 02, 2017

Sikander Kumar alias Bheela

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Narinder Singh Dadwal, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.119 dated 06.08.2013 under Sections 15 and 18 of the NDPS Act, registered at Police Station Sadar, Ludhiana.

Notice of motion.

Ms.Simranjeet Kaur, Asstt. Advocate General, Punjab, has put in appearance 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, 55 kgs. of poppy husk has been recovered in two bags from the car along with 500 grams of opium. The recovery of poppy husk falls under commercial

category. As per Section 37 of the NDPS Act, bail cannot be granted in the

case of commercial quantity.

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

November 02, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No