

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

**CRM No.M-41093 of 2016 (O&M)
Date of decision:16.01.2017**

Sunil ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Tejinder Pal Singh, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.49 dated 06.06.2015, under Section 22 of the NDPS Act, registered at Police Station Mukandpur, District Shaheed Bhagat Singh Nagar.

Counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner was of 260 grams contraband and which as per report of chemical examiner was found to be containing diphenoxylate hydrochloride.

The alleged recovery would be construed as commercial in nature.

Under such circumstances, this Court is not inclined to entertain the prayer for grant of regular bail in the light of the specific bar contained under Section 37 of the NDPS Act.

Petition is dismissed.

16.01.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes

ii) Whether reportable? No