

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

**CRM No. M-41191 of 2016 (O&M)
Date of Decision: 20.02.2017**

Harminder Singh @ Bindi

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. B.S. Kathuria, Advocate for the petitioner.

Mr. Neeraj Sharma, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.20, dated 13.04.2016, under Sections 21/22/61/85 of the NPDS Act, registered at Police Station Sadar Banga, District SBS Nagar.

As per prosecution version, an alleged recovery of 110 grams of contraband was effected from the petitioner.

As per report of the Chemical Examiner, the same was found to be containing diphenoxylate hydrochloride. The alleged recovery would as such be construed commercial in nature.

Under such circumstances and in view of the specific bar envisaged under Section 37 of the NDPS Act, this Court is not inclined to extend in favour of the petitioner benefit of bail.

Petition is dismissed.

At this stage, counsel appearing for the petitioner would submit that the petitioner while in custody has suffered a dislocation of the hip joint. While dismissing the petition, directions are issued to the concerned

Jail Superintendent to ensure that adequate medical treatment is afforded to the petitioner.

20.02.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

- i) Whether speaking/reasoned? Yes
- ii) Whether reportable? No