

CRM-M-43092-2017

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

CRM-M-43092-2017

Date of Decision:28.11.2017

Jinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. D.N.Ganeriwala, Advocate,
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab

INDERJIT SINGH, J.

Petitioner-Jinder Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.299 dated 20.09.2017, registered at Police Station City Barnala, District Barnala, under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act, 1985').

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this 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 15 vials of 100 ml. each, containing Codine, have been recovered in the present case. The aforesaid quantity

CRM-M-43092-2017

falls in commercial category. Section 37 of the NDPS Act, 1985 bars the grant of bail to the accused in case of commercial quantity.

Keeping in view the facts and circumstances of the present case and in view of the fact that recovery effected in the present case falls in commercial quantity, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

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

28.11.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No