

CRM-M-43999-2016

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

CRM-M-43999-2016

Date of Decision: 21.03.2017

Wakil Singh alias Kala

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. G.S.Sandhu, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Wakil Singh alias Kala has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.90 dated 11.10.2015, registered at Police Station Kotbhai, District Sri Muktsar Sahib, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act')

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

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From the record, I find that as per the prosecution version, 2400 tablets of Alprazolam and 3 vials of Daizepam injections IP have been recovered from the petitioner. The aforesaid recovery falls under commercial quantity. Section 37 of the NDPS Act bars the benefit 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 from the petitioner falls under commercial quantity, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail.

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

As the petitioner has been in custody since 11.10.2015, trial Court is directed to expedite the trial by giving short adjournment or by adjourning the case on day to day basis, if required.

21.03.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No