

CRM-M-43501-2017

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

CRM-M-43501-2017

Date of Decision:28.11.2017

Kamlesh Rani

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naveen Shaarma, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Kamlesh Rani has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.29 dated 24.02.2016, registered at Police Station Mantiana, District Hoshiarpur, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act, 1985').

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

From the record, I find that as per the case of prosecution, 200 gram intoxicant powder containing Alprazolam was recovered from the present petitioner. The aforesaid quantity falls in commercial category. Section 37 of the NDPS Act, 1985 bars the grant of bail to the accused in case of commercial quantity.

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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