

CRM-M-47895-2017

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

CRM-M-47895-2017

Date of Decision: 21.12.2017

Baru Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sarwinder Goyal, Advocate,
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab

INDERJIT SINGH, J.

Petitioner-Baru Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.07 dated 17.01.2017, registered at Police Station Sadar Dhuri, District Sangrur, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

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.

From the record, I find that 8 bags containing 20 kgs of poppy husk each i.e. 160 kgs, were recovered from the conscious possession of petitioner-accused alongwith other accused from a car.

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The aforesaid quantity of poppy husk 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 regular bail.

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

21.12.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No