

CRM-M-543-2017

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

CRM-M-543-2017

Date of Decision: 23.02.2017

Jugraj Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Jugraj Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.78 dated 21.07.2016, registered at Police Station Payal, Police District Khanna (District Ludhiana), under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act').

Notice of motion was issued. Learned State counsel 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 allegations in the FIR, intoxicant powder containing 'Diphenoxylate Hydrochloride', was recovered from the present 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.

23.02.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No