

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-7772-2017

Date of Decision: 29.03.2017

Sukhpinder Singh alias Sukha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bikramjit Aroura, Advocate,
for the petitioner.

Mr. V. P. S. Sidhu, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Sukhpinder Singh alias Sukha has filed this 2nd petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.84 dated 07.06.2014, registered at Police Station Majitha, District Amritsar, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued in this case. Learned State counsel has 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 in the present case, 100 grams of intoxicant powder containing Diphenoxylate Hydrochloride was recovered from the petitioner. The aforesaid recovery falls within the category of 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 intoxicant powder allegedly recovered 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.

29.03.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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