

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

CRM-M-1449 of 2018
Date of Decision: 21.03.2018

Mandeep Singh @ Monu@ MorindaPetitioner

Versus

State of PunjabRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No.148 dated 15.12.2014 under Sections 21, 22, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Maqboolpura, District Amritsar.

Learned counsel for the petitioner contended that the petitioner has been implicated in a false and fabricated case. It is further submitted that the petitioner has been in custody since last about ten months. It is also contended that the police has violated the mandatory provisions of Section 50 of the Act.

On the other hand, learned State counsel submits that the quantity of the contraband recovered from the petitioner was 310 gms of intoxicant powder which falls under commercial quantity. It is further submitted that there nine other cases pending against the petitioner and thus he is not entitled to concession of regular bail in view of an embargo contained in Section 37 of the NDPS Act. It further contended that the petitioner was declared proclaimed offender

on 03.10.2016

Heard learned counsel for the parties and perused the record.

The petitioner was declared proclaimed offender and there are huge number of cases pending against him and the contraband recovered from the possession of the petitioner is commercial quantity and thus he is not entitled to the concession of regular bail in view of the bar contained in Section 37 of the NDPS Act. Hence, the present petition is hereby dismissed.

However, learned trial Court is directed to expedite the trial.

[MAHABIR SINGH SINDHU]
JUDGE

March 21, 2018
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Whether speaking/reasoned	yes/no
Whether reportable?	yes/no