

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-22493 of 2018 (O&M)
Date of decision: May 30, 2018

Jatinder Pal @ Shindu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sanjeev Kumar, Advocate for
Mr. J.S. Dadwal, Advocate for the petitioner.
Mr. Aditya Sharda, AAG, Punjab.

Rajan Gupta, J.

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Section 21/22/61 of Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Kathgarh, District S.B.S. Nagar, vide FIR No.20 dated 21.03.2016.

Allegations in the FIR are that on 21.03.2016, petitioner was apprehended by the police and from his possession 300 grams powder containing Diacetylmorphine was recovered. He was apprehended on the spot. In view of the fact that petitioner was apprehended while in possession of intoxicant powder, which falls within the category of commercial quantity, I am of the considered view that petitioner is not entitled to bail. Section 37 of the Act would be attracted in the instant case. The petition is, thus, devoid of merit. Same is hereby dismissed.

May 30, 2018
'Rajpal'

(RAJAN GUPTA)
JUDGE

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No