

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

**CRM No.M-25053 of 2018 (O&M)
Date of Decision: July 31, 2018**

Avtar Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms.Arti Kaur, Advocate
for the petitioner.

Mr.Pawan Sharda, Sr. DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.117 dated 16.09.2017 under Sections 15 and 22 of the NDPS Act, registered at Police Station City Nawanshahr, District SBS Nagar.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the allegations, 33 injections of Avil containing 10ml each and 23 injections of Buprenorphine containing 2ml each were recovered from a plastic bag, which the accused-petitioner was carrying in

his right hand. The recovery from the present petitioner falls under

commercial quantity. Section 37 of the NDPS Act bars the grant of bail to the accused in case commercial quantity.

Keeping in view the facts and circumstances of the present case and in view of the heavy recovery of 33 injections of Avil and 23 injections of Buprenorphine, I do not find it a fit case, where petitioner is entitled to benefit of regular bail.

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

July 31, 2018	(INDERJIT SINGH)
Vgulati	JUDGE
Whether speaking/reasoned	Yes
Whether reportable	No