

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

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**CRM-M No.50284 of 2018.
Date of Decision: 04.12.2018.**

Labh Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Jimmy Singla, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to the petitioner in case F.I.R. No.149 dated 05.07.2018 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Patran, District Patiala.

The petitioner was allegedly found to be in possession of 600 tablets containing salt 'Tramadol Hydrochloride' and that is of commercial quantity.

Learned counsel representing the petitioner contended that the petitioner is in custody since 05.07.2018 and the alleged recovery is marginally above the commercial quantity defined under the notification, so he be released on bail.

Learned State counsel, while opposing the prayer for regular bail to the petitioner, contented that the alleged recovery from the petitioner is of commercial quantity and as per provisions of Section 37 of the Act, the petitioner is not entitled to the concession of regular bail.

Having considered the fact that the petitioner was found to be in possession of 600 tablets containing salt 'Tramadol Hydrochloride' which is commercial quantity and as per provisions of Section 37 of the Act, the petitioner is not entitled to be released on bail, the petition is dismissed.

(SHEKHER DHAWAN)
JUDGE

04.12.2018
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No