

CRM-M-6969-2018

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

CRM-M-6969-2018

Date of Decision: 20.07.2018

Bhupinder Singh @ Gora

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.P.S.Tung, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Bhupinder Singh @ Gora has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.38 dated 27.04.2016, registered at Police Station Sangat, District Bathinda, under Sections 21, 24 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act, 1985'), Section 25 of the Arms Act, 1959 and Section 66 of the Information and Technology Act, 2000.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

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

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From the record, I find that in the present case, heroin weighing 4 kg was recovered. The aforesaid quantity falls in commercial category. Section 37 of the NDPS Act, 1985 bars the grant 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 recovery effected in the present case falls in 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.

However, as the petitioner has been in custody since 27.04.2016, trial Court is directed to expedite the trial by giving short adjournments or even by adjourning the case on day to day basis, if necessary. Investigating Officer/Station House Officer of the concerned police station is directed to produce the remaining witnesses before the trial Court at the earliest. SSP, Bathinda is also directed to personally look that the witnesses are produced before the trial Court at the earliest.

20.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No