

CRM-M-1378-2019

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

CRM-M-1378-2019

Date of Decision: 19.03.2019

Pargat Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jasvir Singh Dhaliwal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.64 dated 12.11.2016, registered at Police Station Khalra, District Tarn Taran, under Section 21 of the NDPS Act, 1985.

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.

From the record, I find that in the present case, 500 gram heroin has been recovered, which falls in commercial quantity. Section 37 of the NDPS Act, 1985 bars the grant of bail to the accused in case of commercial quantity.

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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 12.11.2016 i.e. for more than two-year, 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. The Investigating Officer and Station House Officer of the concerned police station are directed to produce the witnesses before the trial Court at the earliest, preferably on the next two-three dates.

19.03.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No