

CRM-M-2541-2019

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

CRM-M-2541-2019

Date of Decision: 03.04.2019

Darshan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sahil Kaushal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.434 dated 13.12.2017, registered at Police Station Phillaur, District Jalandhar, under Section 22 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 as per the prosecution version, 6000 bottles of MAXCOFF-T, containing the salts of Codeine Phosphate and Triprolidine Hydrochloride, have been recovered from the present petitioner.

CRM-M-2541-2019

Learned State counsel has brought to the notice of this Court that there is one more case pending against the present petitioner.

The recovery effected from the petitioner falls in commercial quantity. 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 is in custody since 13.12.2017, 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.

03.04.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No