

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-2408 of 2019

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Date of decision:20.03.2019

Labh Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Iqbal S. Mann, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.79 dated 9.7.2018 registered for the offences under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police Station Jaitu, District Faridkot.

Notice of motion to Advocate General, Punjab.

Mr. Dhruv Dayal, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned State

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counsel appearing for the respondent-State and have gone through the record.

As per the prosecution version, one Bolero vehicle was found parked and the present petitioner was sitting on the driver seat. 15 Bags of poppy husk were found loaded in the vehicle and on weighment total quantity came to 450 Kgs. of poppy husk. The recovery falls in commercial quantity.

Keeping in view the facts and circumstances of this case and the provisions of Section 37 of the NDPS Act, which bar for the grant of bail in case of commercial quantity, I do not find it a fit case, where the petitioner is entitled to the benefit of bail.

Therefore, in view of the above discussion, I do not find any merit in this petition and the same is dismissed.

March 20, 2019.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No