

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

CRM-M-44336-2018 (O&M)

Date of decision : 18.11.2019

Yogesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anterpreet Singh, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail pending trial in FIR No.366 dated 25.07.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Focal Point, Police District Ludhiana.

As per case of the prosecution, 265 grams of heroin was recovered from the petitioner whereas 335 grams of heroin was recovered from the possession of co-accused of the petitioner namely Narinder Kumar. Both were caught at the spot travelling in one car. Recovery from each of the petitioner is falling in the commercial quantity. Hence, this Court is not inclined to grant concession of bail to the petitioner in view of bar contained in Section 37 of the Narcotic Drugs and Psychotropic Substances Act.

Accordingly, the present petition is dismissed.

18.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No