

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

CRM No.M-45676 of 2018 (O&M)

Date of Decision: March 01, 2019

Pawan Kumar

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Veneet Sharma, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.208 dated 17.10.2016 under Section 21 of the NDPS Act, registered at Police Station Tanda, District Hoshiarpur.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

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

From the record, I find that from the present petitioner, 800 grams of heroin has been recovered and the recovery falls under commercial quantity. Section 37 of the NDPS Act bars the grant of bail to the accused

in the case of commercial quantity.

Therefore, finding no merit in the present petition, the same is dismissed.

However, as the petitioner is stated to have been in custody since 17.10.2016, therefore, learned trial Court is directed to dispose of the case by giving short adjournments and if required, even day to day adjournments. The Investigating Officer/SHO concerned is directed to produce the witnesses before the trial Court at the earliest preferably on next 2-3 dates.

March 01, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No