

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-47419 of 2018

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Date of decision:25.03.2019

Balbir Singh alias Bitta

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Subhash Kumar, 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 petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.289 dated 4.9.2017 registered for the offence under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS Act') at Police Station Sadar Nakodar, District Jalandhar.

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

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Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

As per the prosecution version, 150 Grams of intoxicant powder containing Alprazolam was recovered from the present petitioner, which 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 25, 2019.

(Inderjit Singh)
Judge

hsp

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