

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

CRM No.M-52830 of 2018 (O&M)

Date of Decision: January 08, 2019

Rohit Kumar

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

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

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.104 dated 22.08.2018 under Section 15 of the NDPS Act, registered at Police Station Division No.2, Pathankot.

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.

The perusal of the record shows that 102 kgs. of poppy husk has been recovered. Present petitioner was sitting in the car and some poppy bags were also lying on the seat of the car. The recovery in the present case falls under the category of 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.

January 08, 2019
Vgulati

Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

Yes
No