

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

**CRM-M-29746-2019**

**Date of Decision: 22.07.2019**

**Vishnu Kumar**

**.. Petitioner**

**Vs.**

**State of Haryana**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Sushil Sheoran, Advocate,  
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

...

**Inderjit Singh, J. (Oral)**

Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in a case FIR No.222 dated 12.06.2017, registered at Police Station Tosham, District Bhiwani, under Sections 15, 27-A and 29 of the NDPS Act, 1985.

Notice of motion has been issued. Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

From the record, I find that as per the prosecution version, the petitioner was driving a vehicle from which 600 kilograms of poppy husk was recovered. The aforesaid recovery falls in commercial quantity. Section 37 of the NDPS Act, 1985 bars the grant of bail to the accused in the case of commercial quantity.

In view of the above, no ground is made out for grant of regular bail to the petitioner.

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

However, as the petitioner is in custody since 12.06.2017, trial Court is directed to expedite the trial by giving short adjournments or even by adjourning the case on day to day basis, if necessary. The Investigating Officer and Station House Officer of the concerned police station are directed to produce the remaining witnesses before the trial Court at the earliest.

22.07.2019  
*parveen kumar*

**(INDERJIT SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No