

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

**CRM No.M-57452 of 2018 (O&M)
Date of Decision: February 26, 2019**

Ram Mehar

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Bhupinder Malik Advocate
for the petitioner.

Mr.Tanuj Sharma, AAG, Haryana
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.0940 dated 06.11.2017 under Section 20 of the NDPS Act, registered at Police Station City Jind.

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.

As per prosecution version, 10 kgs. 900 grams of charas has been recovered from the petitioner. Learned counsel for the petitioner argued that in the FSL report, ingredients have not been mentioned. I have gone through the FSL report, in which it is stated that sample was identified

as 'charas'. Later on, again report was called in which Senior Scientific Officer, RFSL, Sunaria, Rohtak, confirmed the sample as 'charas'.

Section 37 of the NDPS Act bars the grant of bail to the accused in the case of commercial quantity.

Keeping in view the facts and circumstances of the present case and in view of the heavy recovery from the present petitioner, I do not find it a fit case where petitioner is entitled to benefit of regular bail.

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

February 26, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No