

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-54877 of 2018

.....

Date of decision:01.03.2019

Gurjeet Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Vaneet Kumar Sharma, 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.61 dated 2.5.2018 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 Shambhu, District Patiala.

Notice of motion was issued in this case.

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 State

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counsel and have gone through the record.

As per the prosecution version, in the present case 935 tablets containing salt Diphenoxylate Hydrochloride, without any permit, were found from the vehicle which was being driven by the petitioner. The recovery in the present case falls in commercial quantity, therefore, bar of Section 37 of the NDPS Act will apply in this case and the petitioner is not 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 01, 2019.

(Inderjit Singh)
Judge

hsp

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