

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-11660-2020 (O&M)
Date of Decision:- 10.6.2020

Mani Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Amandeep Kaur, Advocate, for the petitioner.

Mr. H.S.Sullar, DAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.71, dated 25.3.2019, under Section 22 of NDPS Act, Police Station Sadar Dhuri, District Sangrur.
2. It is the case of prosecution is that a secret information was received by the police on 25.3.2019 that petitioner Mani Singh indulged in

sale of intoxicant tablets and that he was coming on a scooty bearing registration No. PB-13AN-3569 carrying intoxicant tablets. It is further the case of prosecution that pursuant to receipt of the said information the petitioner was apprehended and 1000 tablets containing Tramadol salt were recovered from him.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is no independent witness to corroborate the version of the official witnesses and that in these circumstances the petitioner deserves the concession of bail.
4. Opposing the petition, learned State counsel has submitted that since the recovered contraband falls within the quantitative limits of 'commercial quantity' therefore, the fetters imposed by Section 37 of NDPS Act would be attracted and as such the petitioner is dis-entitled for grant of regular bail.
5. I have considered rival submissions addressed before this Court. It is a case where pursuant to receipt of specific information against the petitioner he was apprehended and was found in possession of 1000 tablets of Tramadol each weighing 399 mg (approximately). The total weight of the recovered contraband works out to 418.95 grams which would fall within in the category of 'commercial quantity'. Since the facts *prima facie* show that petitioner has committed the offence in question and there is nothing on record to show that he is innocent or that if released on bail he would not commit any offence again, therefore keeping in view the provisions of Section 37 of

NDPS Act, this Court does not find any special case for grant of bail to the petitioner.

6. The petition is sans any merit and is dismissed.

June 10, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No