

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 14851 of 2020
Date of Decision: 28.8.2020**

Resham Singh @ Reshu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. S.S.Deol, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 257 dated 09.11.2019 under Sections 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Civil Line, Bathinda.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the recovery has already been effected. He further submits that the petitioner has been in custody since 09.11.2019 and the co-accused have already been granted regular bail by the learned Sessions Court. Learned counsel also submit that in the present case, challan has been presented and the charges are yet to be framed.

On the other hand, learned State counsel submits that recovery of 300 grams of Tramadol Hydrochloride has been effected from the petitioner and moreover, three other FIRs are also pending against him.

I have heard the learned counsel for the petitioner as well as learned State counsel.

Custody certificate by way of affidavit of Deputy Superintendent, Central Jail, Bathinda has been filed through e-mail. Copy of the same is taken on record.

In the present case, the petitioner has been found in possession of 300 grams of Tramadol Hydrochloride. The recovery effected from the petitioner falls under the commercial quantity and Section 37 of the NDPS Act bars the grant of bail to the accused in the case of commercial quantity. Moreover, as per the custody certificate, three more FIRs have also been registered against him.

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

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

August 28, 2020
Gurpreet

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