

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

CRM-M-15098-2020 (O&M)
Date of Decision:- 15.6.2020

Bholi ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sukhwinder S. Dhillon, Advocate, for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

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

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against her vide FIR No. 271, dated 10.11.2019, Police Station Lambi, District Shri Muktsar Sahib, under Section 22 NDPS Act.
2. In nutshell, the allegations against the petitioner are that the petitioner was found in possession of 250 tablets of 'Clavidol' and 600 tables of 'Tramadol' on 10.11.2019. The search of the applicant also led to recovery of ₹36,000/-.

3. Learned counsel for the petitioner has submitted that the petitioner is a widow and has been falsely involved and that even if the allegations as levelled in the FIR are taken to be correct it is a case of a quantity which is marginally above the commercial quantity.
4. Opposing the petition, the learned State counsel has submitted that since it is a case of recovery of commercial quantity and in fact the amount of ₹36,000/- which was ostensibly proceeds of sale of intoxicants was recovered, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. It is not disputed that it is a case of recovery of 'commercial quantity'. As such the fetters imposed by Section 37 of NDPS would be attracted. At this stage, this Court cannot opine that the petitioner has been falsely implicated or that if released on bail the petitioner would not commit the offence against.
6. The petition is sans any merit and is hereby dismissed.

June 15, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No