

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

208

CRM-M-5348-2020

Date of decision: 21.01.2021

Lakhwinder Singh @ Bagga

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Pardeep Kumar Kapila, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

SUVIR SEHGAL J. (ORAL)

The hearing of this petition has been taken up through video conferencing on account of outbreak of Covid-19 Pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.241, dated 12.09.2019 registered under Section 22 of the NDPS Act, at Police Station Lehra, District Sangrur.

Counsel for the petitioner has argued that the petitioner was not arrested from the spot. It is his submission that even though the challan has been presented, the trial is not progressing and the petitioner, who has unblemished antecedents, deserves to be released on bail.

Per contra, State counsel upon instructions from ASI Surjit Singh has opposed the petition. He submits that the petitioner was found to be in possession of 17000 Covidol tablets weighing 6936 grams, which falls within the ambit of commercial quantity under the provisions of the NDPS Act.

I have considered the rival submissions of the parties.

Considering the fact that commercial quantity of contraband has been recovered from the person of the petitioner and bar under Section 37 of the Act is applicable, no case is made out for grant of regular bail to the petitioner.

The petition is, accordingly, dismissed.

It is clarified that any observation made hereinabove shall not be construed to be an expression of opinion on the merits of the case.

21.01.2021

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No