

**206-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.17870 of 2020 (O&M)
Date of Decision:19.03.2021**

VED RAM

...Petitioner

Versus

NARCOTIC CONTROL BUREAU, CHANDIGARH

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Verma, Advocate
 for the petitioner.

Mr. Rajiv Sharma, Sr. Standing Counsel for NCB, Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Petitioner has filed this petition under Section 439 of Cr.P.C.
for grant of regular bail in case crime No.14 dated 26.02.2020, registered
under Sections 8, 20, 23(c), 27A, 28, 29 and 60 of NDPS Act at Police
Station Narcotic Control Bureau, Chandigarh.

Learned counsel for the petitioner states that on the secret
information, the petitioner along with other co-accused had been
apprehended from the bus stand, Chandigarh and an amount of Rs. 3.05
lakh had been allegedly recovered from him. He further states that it cannot
be designated as a drug amount and even the call details of the petitioner
are not sufficient to establish his involvement in the above noted FIR.

While opposing the bail of the petitioner, learned senior

standing counsel for NCB states that after the arrest of the petitioner from the bus stand, the investigation was conducted and thereafter, a raid had been conducted at Hotel Dream, Dariya, near Chandigarh Railway Station, from where 1.474 KG Charas had been recovered from co-accused Shahnawaz Gulam Choratwala and Shabana Sheikh. He had also placed on record the call details of the petitioner which reveal that the petitioner and his co-accused had been in contact with each-other for a long period.

I have heard the learned counsel for the parties.

The recovery of Charas allegedly effected in the present case falls in commercial quantity. Section 37 of the NDPS Act bars the grant of bail to the accused in case of commercial quantity.

In view of the above, I do not find any merit to grant the regular bail to the petitioner and no case is made out.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

March 19, 2021

Jyoti-IT Whether speaking/reasoned Yes/No Whether Reportable Yes/No