

**201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

SMRITI
2021.01.07 13:10
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CRM-M-43739-2020
Date of Decision: 07.01.2021

KHAJAN SINGH

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Rahul Sidher, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

In the instant case, the petitioner is seeking regular bail in case bearing FIR No.028 dated 08.02.2019 under Section 21-C of the Narcotics Drugs and Psychotropic Substances Act (for short the 'NDPS Act') registered at Police Station Sadar Rattia, District Fatehabad.

Briefly, the aforesaid FIR has been registered in pursuance of recovery of 8800 tablets of Tramadol and 4500 tablets of Alprazolam.

It has been contended by the learned counsel for the petitioner that the petitioner is in custody since 08.02.2019 and no other case has been registered against him.

On the contrary, it has been argued by learned State counsel that this is third bail application filed on behalf of the petitioner and the last one having been dismissed as withdrawn on 19.08.2020. Furthermore, the quantity of contraband falls in the category of commercial quantity.

In the instant case, the quantity of contraband recovered from the possession of the petitioner falls in the category of commercial quantity. As such, stringent provisions of Section 37 of the NDPS Act come into play. There is nothing to suggest that the petitioner has not committed the offence and is not likely to commit the offence while on bail. Moreover, the case of the petitioner does not fall in the category of the under-trial prisoners who are to be released on bail in pursuance of the instructions issued by the High Powered Committee.

For the aforesaid reasons, the present petition stands dismissed.

07.01.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No