

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

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CRM-M-3876-2020 (O&M)

Date of Decision: 24.05.2022

NISHAN SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Kumar Passi, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Prayer is for grant of regular bail to the petitioner in case bearing FIR No.171 dated 03.10.2019, registered at Police Station Dakha, District Ludhiana, under Sections 22 and 25 of the NDPS Act.

Learned counsel for the petitioner submits that the petitioner is a licensed Chemist having a Retail Drug License, which is valid from 30.04.2018 till 29.04.2023 and that the petitioner has falsely been implicated in the present case. He further submits that the petitioner has been in custody since 03.10.2019.

On the other hand, while opposing the prayer for grant or regular bail to the petitioner, learned State counsel submits that the recovered contraband i.e. 14970 intoxicant tablets Mark Calvidol 100 SR, effected from the petitioner and his co-accused, falls under the commercial quantity and Section 37 of the NDPS Act bars the grant of bail to the accused in the case of a commercial quantity.

I have heard the learned counsel for the parties.

Admittedly, the quantity of the recovered contraband 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.

In view of the above, no ground is made out to grant the concession of regular bail to the petitioner.

Dismissed.

Registry is directed to send a copy of this order to the concerned trial Court for necessary action.

24.05.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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