

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

218

CRM-M-51540-2021

Date of Decision : July 27, 2022

RAJINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. S.S.Brar, Advocate for
Mr. Charanjit Singh, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 21 dated 21.3.2021 under Section 22(c) of NDPS Act, registered at Police Station Nandgarh, District Bathinda.

The learned counsel appearing for the petitioner has submitted that the petitioner is in custody for the last one year and four months and after framing of charges no witness has been examined. He submitted that the petitioner has been falsely implicated in the present case and he is not involved in any other case and, therefore, he may be considered for the grant of regular bail.

On the other hand, the learned State counsel on instructions from SI Kaur Singh has submitted that it is correct that the petitioner is in custody for the last one year and four months but it is a case where the

petitioner was apprehended at the spot with 7500 tablets of Clovidol (Tramadol) with a weight of approximately 3 kgs which is a huge recovery. He submitted that the confiscated quantity falls in the category of commercial quantity and, therefore, the case of the petitioner is hit by the bar contained under Section 37 of NDPS Act and the petitioner has not been able to make any ground for making a departure from the same.

I have heard the learned counsels for the parties.

As per the allegations the petitioner was caught on the spot alongwith about 3 kgs of Clovidol (Tramadol). The said quantity falls within the category of commercial quantity under the NDPS Act. The learned counsel for the petitioner has not been able to make out any ground for making a departure from the bar contained under Section 37 of NDPS Act.

Consequently, finding no merit in the present petition, the same is, hereby, dismissed.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 27, 2022

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(JASGURPREET SINGH PURI)
JUDGE

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