

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

Crl.Misc.No.M-11671 of 2015(O&M)

Date of Decision : 13.7.2015

Labh Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. P.S.Sekhon, Advocate for the petitioner

Mr. P.J.S.Hundal, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 87 dated 11.9.2014 registered under Sections 18, 61, 85 of NDPS Act at Police Station Ghagga, District Patiala.

The petitioner was driving a motor cycle and was apprehended and the pillion rider was found holding a bag containing 2 kg 700 grams of opium.

Learned counsel for the petitioner contends that the recovery is marginally above the commercial quantity and that he is in custody since 11.9.2014 and there is no other case of the like nature pending against him.

These facts are not controverted by the learned State counsel who has stated that the matter is fixed for recording evidence on 17.7.2015.

After hearing learned counsel for the parties and noticing the fact that there is no other case of the like nature pending against the petitioner and also the fact that trial is likely to take some time as 11

witnesses are yet to be examined, I without commenting upon the merits of the case, accept the instant petition, particularly, noticing the period of custody of petitioner since 11.9.2014. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C.. Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

July 13, 2015
rekha

(Mahesh Grover)
Judge