

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

Crl.Misc.No.M-14008 of 2015(O&M)

Date of Decision : 28.07.2015

Satnam Singh @ Satta

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. O.P.Kamboj, 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. 75 dated 8.12.2014 registered under Sections 21, 22, 61, 85 of NDPS Act and Sections 379, 411, 420, 467, 468, 471 IPC at P.S. Sadar Pathankot, District Gurdaspur.

The allegations in the FIR would reveal that apart from the fact that the petitioner was found with 5 stolen motor cycles, he was also carrying 450 grams of intoxicating powder.

Learned counsel for the petitioner contends that the quantity of the contraband recovered from him is non-commercial quantity and he is in custody since December, 2014.

Learned State counsel opposes prayer for bail by referring to the serious nature of the allegations and recovery effected from the petitioner and the fact that trial is in progress where 3 out of 20 witnesses have already been examined. However, period of custody is not disputed by learned State counsel on instructions from SI Kashmir Singh. It is also stated in response to a question from this Court that there is no other case of

the like nature pending against the petitioner.

Having regard to the fact that the petitioner is in custody since December, 2014 and particularly examination of 17 witnesses is likely to take some time and the fact that petitioner is not involved of any other case of the like nature and noticing the recovery of non-commercial quantity, instant petition is accepted. It is directed that the petitioner shall be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of the learned Trial Court.

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

July 28, 2015
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(Mahesh Grover)
Judge