

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

CRM-M-1401-2015 (O&M)
Date of decision : 27.01.2015

Gurdeep Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rakesh Gupta, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Prem Singh.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.224 dated 21.12.2013, under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Sambhu, Distt. Patiala.

The learned counsel for the petitioner contends that the alleged recovery from the petitioner is of 1 k.g. opium, which is non-commercial. The petitioner is in custody since 21.12.2013. The co-accused of the petitioner, namely, Niranjana Dass and Varinder Kumar @ Bhola, have already been admitted to bail by this Court. The

petitioner is not involved in any other FIR.

On the other hand, the learned State counsel has vehemently opposed the prayed petition.

Heard.

Keeping in view the fact that the quantity allegedly recovered from the petitioner is non-commercial quantity, he is in custody since 21.12.2013 and is not involved in any other FIR, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

27.01.2015

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(JITENDRA CHAUHAN)
JUDGE