

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15691-2015 (O & M)
Date of decision:13.08.2015

Sarbjit Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

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

Ms. Rajni Gupta, Addl.A.G., Punjab.

Rajan Gupta, J. (oral)

This is a petition under Section 439 Cr.P.C. seeking regular bail to petitioner in a case registered against him vide FIR No.269 dated 20.12.2014 under Sections 18/25/61 and 85 of NDPS Act, at Police Station Dakha District Ludhiana.

Learned counsel for the petitioner submits that recovery of contraband effected from the petitioner is marginally higher than commercial quantity. He relies upon judgment of this court in CRM-M-24344-2014 titled as '*Vadhawa Ram versus State of Punjab*'.

Learned State counsel has opposed the prayer for bail on the ground that quantity of contraband recovered from the petitioner is commercial nature.

However, keeping in view judgment in *Vadhawa Ram's case* (*supra*) and period of incarceration of the petitioner, I am of the considered view that no useful purpose will be served by detaining the petitioner any longer. The trial may take long time to conclude. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

**(RAJAN GUPTA)
JUDGE**

13.08.2015
sukhpreet