

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

CRM-M-1952 of 2015
Date of Decision: 23.07.2015

Laddi Masih

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. N.K Vedhera, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

SNEH PRASHAR, J.(Oral)

1. The present petition under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case FIR No.89 dated 18.11.2014, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police station Kahnuwan, District Gurdaspur.

2. Heard the submissions made by Mr. N.K Vedhera, Advocate, representing the petitioner and Mr. Ashish Sanghi, DAG, Punjab representing the State.

3. Learned counsel for the petitioner submits that the recovery of the contraband effected from the petitioner is 60 grams of intoxicant powder (Diphenoxylate Hydrochloride), which is marginally higher than the commercial quantity. Submitting that the petitioner is in custody since 18.11.2014, learned counsel prayed that he be enlarged on regular bail.

4. On the other hand learned State counsel opposed the prayer of the petitioner for grant of regular bail.

5. Considering the facts and circumstances of the case and the fact that the trial is still likely to take some time whereas there appears no plausible ground to detain the petitioner in custody, without expressing any opinion on merits of the case, the present petition is allowed and the petitioner is released on regular bail during the pendency of the trial subject to his furnishing bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Gurdaspur.

July 23, 2015
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[SNEH PRASHAR]
JUDGE