

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

CRM-M No.21135 of 2015 (O&M)

Date of Decision: 12.10.2015

Jagjit Singh @ Laungi

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. D.N.Ganeriwala, Advocate for the petitioner.

Ms. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent along with ASI Gyan Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail in case FIR No.40 dated 30.05.2014, under Sections 22/61/85 of the NDPS Act and Sections 61/1/14 of the Excise Act, registered with Police Station Rurke Kalan, District Barnala **(Annexure P-1)**.

As per the allegations, the petitioner/accused was apprehended with 11 bottles of country made liquor and 70 strips of tablets (totaling 700 tablets), containing 54.6 grams of psychotropic substance.

Learned Counsel for the petitioner submits that the quantity above 50 grams is commercial in nature and, therefore, the alleged recovery is marginally higher. He further submits that the petitioner is in custody since 30.05.2014 and there is no other case registered against him.

Learned State Counsel, on instructions from ASI Gyan Singh, concedes regarding the custody period and the fact that there is no other case against the petitioner, however, she submits that 6 out of 9 prosecution witnesses stand examined.

Without commenting on the merits of the case, keeping in view the custody period and the quantity being marginal higher of being commercial in nature, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of concerned CJM/Duty Magistrate.

Disposed of.

October 12, 2015

Gagan

**(JASWANT SINGH)
JUDGE**