

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

Crl.Misc.No.M- 21168 of 2015(O&M)

Date of Decision : 14.07.2015

Shavi Singla

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. R.S.Rai, Sr. Advocate
 with Mr. Sandeep Wadhawan, 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. 44 dated 28.02.2015 registered under Sections 22, 61, 85 of NDPS Act at Police Station Kotwali Patiala, District Patiala.

According to the FIR, which was lodged on a secret information, the petitioner was apprehended with parcels containing 59,800 tablets which were suspected to be intoxicating drugs without any permit.

Learned counsel for the petitioner with reference to the material on record contends that he is a qualified Pharmacist supported by licence to stock medicines for wholesale business and there is invoice indicating that he has purchased 90000 tablets. He has also placed on record material which indicates that his licence for stocking the drugs is still alive.

Learned counsel for the respondent, on the other hand, does not dispute that the petitioner has a licence and also does not dispute that the petitioner has purchased 90000 tablets from another dealer but states that

what was purchased by the petitioner was intact strips whereas what has been recovered from the petitioner are loose tablets.

Be that as it may, considering the fact that the petitioner is in custody since 28.02.2015 and there is material to suggest that he is a qualified Pharmacist having a valid licence enabling him to stock medicines on a wholesale basis and also noticing that the fact of his purchase of 90000 tablets is not disputed by the State, I would deem it appropriate to accept the petition. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C subject to his furnishing bailbonds to the satisfaction of learned trial Court..

Bail to the satisfaction of learned Trial Court/Duty Magistrate.

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

14.07. 2015
mamta

(Mahesh Grover)
Judge