

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

**Criminal Misc. No. M-26942 of 2015
Date of Decision: 21.08.2015**

Mohit Mehta @ Shanti

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. L.S. Sidhu, Advocate
for the petitioner(s).

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 CrPC is for grant of regular bail to the petitioner in case FIR No.32 dated 26.4.2015 under Sections 22,25/61/85 NDPS Act registered at Police Station Kot Dharmu, District Mansa.

Learned counsel for the petitioner contends that in the case in hand, the alleged recovery is of 5 vials of Rexcof syrup and 50 tablets of Carisoma. The quantity of 5 vials falls in non-commercial category whereas the tablets of Carisoma do not fall within the ambit of NDPS Act. He has relied upon order dated

11.8.2015 passed in CRM-26032 of 2015 *Jaskaran Singh @ Kala v. State of Punjab*, wherein co-accused of the petitioner has already been granted regular bail by this Court. He further submitted that the petitioner is in custody since 26.4.2015 and there is no other case pending against him.

Learned State counsel has filed the custody certificate of the petitioner and does not dispute the aforesaid facts.

Considering the fact that the alleged recovery from the petitioner is either non-commercial in nature or does not fall under the NDPS Act and there is no other case pending against the petitioner, coupled with the fact that challan has been present and the trial will take sufficient long time, the petitioner deserves the concession of bail. Accordingly, the petitioner is admitted to regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

August 21, 2015
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(HARI PAL VERMA)
JUDGE