

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 27031 of 2015 (O&M)

Date of decision : December 14, 2015

Sukha Singh,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Prateek Pandit, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.160, dated 13.12.2014, registered under Sections 22/61/85 of the NDPS Act, at Police Station Sadar, District Kapurthala.

On 19.8.2015, the following order was passed :-

“ This petition has been filed under Section 439 Cr.P.C for grant of regular bail in case FIR No.160 dated 13.12.2014 under Sections 22/61/85 of NDPS Act, 1985 registered at Police Station Sadar, District Kapurthala.

Learned counsel for the petitioner has argued that the petitioner was apprehended with 110 grams of Alprazolam powder which is just marginally above the commercial quantity and he has now been in custody for more than 8 months.

Learned Addl. AG however has argued that the petitioner is involved in another case bearing FIR No.47

dated 26.05.2015 in which he had been released on bail. She has also filed custody certificate by way of affidavit of Paramjit Singh Sandhu PPS, Superintendent, Central Jail Jalandhar, Kapurthala, as per which the actual period of custody which the petitioner has undergone is actually 3 months and one day.

Learned counsel for the petitioner seeks an adjournment.

Adjourned to 18.09.2015.”

Counsel for the petitioner states that as on today, the petitioner has undergone 7 months of custody and this is a case where the recovery is marginally above the commercial quantity.

Learned Addl. AG Punjab has accepted these factual assertions.

Without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

December 14, 2015

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