

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

CRM-M-30726 of 2015 (O&M)

Decided on: 22.9.2015.

Umakant Mishra

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. R.S. Malhotra, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Prem Singh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition under Section 439 of the Code of Criminal Procedure has been filed seeking regular bail in FIR No.127 dated 2.6.2015, registered under Section 18 of NDPS Act, 1985, at Police Station Division No.8, District Jalandhar.

Learned counsel for the petitioner contends that quantity recovered from the petitioner is non-commercial in nature. The co-accused Ravi Pandey, who is similarly situated, has been allowed regular bail by this Court vide order dated 28.8.2015 passed in CRM M-28351 of 2015.

On the other hand, learned State counsel opposes the prayer of bail and states that the petitioner is not entitled for grant of

bail as the quantity is commercial in nature.

I have heard learned counsel for the parties and perused the record.

It is debatable as to whether the quantity is commercial or otherwise. The trial is not likely to be concluded in near future, ; the co-accused Ravi Pandey who is similarly situated has been granted bail by this Court, so, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial on his furnishing bail bonds and surety bonds to the satisfaction of trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

22.9.2015.
SN

(JITENDRA CHAUHAN)
JUDGE