

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

CRM-M No.31966 of 2015

Date of Decision:-23.09.2015

Tara Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Parminder Singh Sekhon, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioner Tara Singh in case FIR No.57 dated 21.06.2015 for offences punishable under Sections 21 & 22 of the NDPS Act registered with Police Station Bareta, District Mansa.

As per the allegations the petitioner was apprehended during a *Naka* while walking with a Polythene bag containing 2 gms of Smack and 300 tablets of Alprazolam.

It is contended that as per the Chemical Examiner report, the recovered contraband is of non commercial quantity apart from the assertion that a false case has been foisted upon him.

The petitioner is stated to be in custody since 21.06.2015 and challan has been presented and also there is no other case registered against

the petitioner.

Learned State Counsel on instructions from HC Gurbachan Singh concedes that the recovered quantity is of non commercial in nature, custody period of the petitioner and that there is no other case registered against the petitioner. He further concedes that the challan has been presented.

Without commenting upon the merits of the case, keeping in view the above, no useful purpose is going to be served by keeping the petitioner behind the bars. As such the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Mansa.

(JASWANT SINGH)
JUDGE

September 23, 2015
Vinay