

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

**C.R.M-M No.34100 of 2015(O&M)
Date of Decision : 20.10.2015**

Jujhar Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Kawaljyot Singh, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

1. Whether Reporters of local papers 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)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.159 dated 19.08.2014 registered under Sections 21, 22, 61, 85 of the NDPS Act, at Police Station Sadar, District Jalandhar.

At the very outset, learned counsel for the petitioner states that inadvertently in the order dated 12.10.2015 recovery was mentioned as 16 grams instead of 60 grams and prays that the same may be read as 60 grams.

Allowed as prayed for.

Pursuant to order dated 12.10.2015 reply has been filed today in Court by way of affidavit of Mukesh Kumar, PPS, Assistant

Superintendent of Police, Cantt. Jalandhar and the same is taken on record.

In the said reply, the discrepancies pointed out on the last date has been sought to be explained.

Learned counsel for the petitioner has argued that the explanation is hardly credible.

Learned Additional Advocate General has argued that the explanation given is not at all unreasonable.

Learned counsel for the petitioner has countered by arguing that in any case the fact is that the intoxicating powder is marginally more than the commercial quantity and the heroin recovered is also of very small quantity and that no other case is pending against the petitioner under the NDPS Act and he has undergone more than 5 months actual custody in the present case.

Learned Additional Advocate General on instructions from Inspector Lakhbir Singh has accepted these facts.

Keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate.

Ordered accordingly.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

October 20, 2015