

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

CRM-M-35973 of 2015

Date of decision: December 17, 2015

Baljit Singh @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. S.K. Arya, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

**Rajan Gupta, J.(oral)**

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Section 22/61/85 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Sadar Dhuri, District Sangrur, vide FIR No.100 dated 21.05.2014.

Petitioner was arrested as recovery of 120 grams of intoxicant powder was effected from him. He is in custody since 1.10.2014. Matter was adjourned on the last date of hearing to enable the State counsel to apprise the court about the result of the sample sent to the Forensic Science Laboratory. He (on instructions from Head Constable Kashmir Singh, who is present in court) has apprised the court that Alprazolam has been found in traces in the contents of the parcel. Under the circumstances, it is not possible for this court at this stage to opine that quantity of intoxicating powder recovered from petitioner is 'commercial' in nature.

Keeping in view the facts and circumstances of the case and the period of incarceration of the petitioner, I am of the considered view that

no useful purpose will be served by detaining the petitioner in custody any longer. The trial may take long time to conclude. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of the trial court.

**(RAJAN GUPTA)**  
**JUDGE**

December 17, 2015  
'Rajpal'