

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M-36310 of 2015

Date of Decision:-03.11.2015

Sandeep Singh @ Seepu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Sudhir Paruthi, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.86, dated 15.04.2015, for offence under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity "the Act"), registered at Police Station, Nakodar, Distt. Jalandhar.

Learned counsel for the petitioner while relying upon *Crl.Misc. M-28239 of 2013* titled as "Rajeev Kumar Vs. State of Punjab" decided on 04.10.2013, contends that for the similar quantity possessed by an accused, this Court has granted bail to that of accused. He further contends that in the case in hand, the allegation against the petitioner is that he has possessed 105 grams intoxicant powder containing *Alprazolam*.

Learned counsel for the petitioner also contends that there is no other case against the petitioner except the present one.

Learned counsel for the State, on instructions from Head Constable-Gurcharan Singh, does not dispute the order passed by this Court in *Crl. Misc. M-28239 of 2013*, titled as “Rajeev Kumar Vs. State of Punjab.” He further submits that in the case in hand, the charges have been framed and now the case is fixed for evidence on 10.11.2015.

Keeping in view the fact that the trial of the case is likely to take a long time and no useful purpose would be served by keeping the petitioner behind the bars any further, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to his furnishing of bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate, Jalandhar.

It is however, made clear that expression made here-in-above shall not be construed as an expression on the merit of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

November 03, 2015
Anjal