

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

CRM M-37560 of 2015

Date of decision : 06.11.2015

Mithan Lal @ Afridi

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

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

Mr. R.S. Randhawa, Additional A.G. Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 43 dated 12.06.2015 under Sections 21/61/85 of the NDPS Act at Police Station Malout Sadar, district Muktsar.

Learned counsel for the petitioner contends that contraband recovered from the petitioner is non-commercial in nature. He is in custody since 12.06.2015. He submits that no useful purpose would be served by detaining the petitioner in custody as trial may still take some time to conclude.

Learned State counsel has opposed the prayer on the ground that allegations against the petitioner are serious.

I have heard learned counsel for the parties.

Keeping in view the fact that quantity of contraband recovered from the petitioner is non-commercial in nature and he is in custody since 12.06.2015, I am of the considered view that that no useful purpose would be served by detaining him in custody any

longer. Without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib.

November 06, 2015

Ajay

(RAJAN GUPTA)
JUDGE