

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

**Criminal Misc.No.M-37591 of 2015
Date of Decision: December 07, 2015**

Hardeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Aditya Jain, Advocate,
for the petitioner.

Mr.K.S.Pannu, DAG, Punjab.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Hardeep Singh, who has been booked for having committed the offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, in a case arising out of FIR No.61, dated 16.06.2014, registered at Police Station, City-II, Mansa.

Learned counsel contends that the intoxicating powder alleged to have been recovered from the petitioner was found to be pseudo-ephedrine by the Forensic Science Laboratory which is not an intoxicating drug of psychotropic substance. In fact, the same is controlled item and the

maximum sentence prescribed for the violation would be ten years. He further submits that the petitioner has already suffered incarceration for one year and approximately four months and as such, his further incarceration in the present case would not be of any consequence.

Learned counsel for the State has not controverted the submissions made by learned counsel for the petitioner but he has opposed the grant of bail on the premise that the petitioner is involved in three more cases.

After hearing learned counsel for the parties, this Court finds that the maximum sentence of rigorous imprisonment for ten years can be awarded in the present case. The petitioner is behind the bars for one year and approximately four months.

Without commenting much on the merits of the case, the present petition is allowed. Petitioner-Hardeep Singh, s/o Narinder Singh, r/o Ward No.2, Thuthianwali Road, Tehsil and District Mansa, is directed to be released on bail, during pendency of trial of the present case, subject to his furnishing bonds to the satisfaction of learned Judge, Special Court, Mansa.

December 07, 2015
seema

(Naresh Kumar Sanghi)
Judge

