

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

CRM-M-37808-2015 (O&M)

Date of Decision: November 16, 2015

Satish Ajaypal alias Banti

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Pankaj Kumar, Advocate for
Mr.A.S.Cheema, Advocate
for the petitioner.

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

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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?*

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, Satish Ajaypal alias
Banti son of Sh.Suresh Kumar son of Sh.Ram Sarup, resident of
Ward No.6, Sardulgarh, Tehsil Sardulgarh, District Mansa, who
has been booked for having committed the offence punishable
under Section 22 of the Narcotic Drugs and Psychotropic

Substances Act, 1985, (for brevity, 'the 1985 Act') in a case arising out of FIR No.140, dated 08.09.2015, registered at Police Station, Sardulgarh, District Mansa.

Learned counsel contends that as per prosecution version eight vials each containing 100 ml Rexcof were allegedly recovered from the petitioner. The maximum weight of the Rexcof, i.e. 800 ml would fall within the category of non-commercial quantity. The petitioner is neither required nor involved in any other case arising out of the 1985 Act.

Learned counsel for the State has not controverted the above contentions of the learned counsel for the petitioner.

In view the totality of the facts and circumstances of the case, the present petition is allowed. Petitioner-Satish Ajaypal alias Banti son of Sh.Suresh Kumar son of Sh.Ram Sarup, resident of Ward No.6, Sardulgarh, Tehsil Sardulgarh, District Mansa, is ordered to be released on bail during pendency of the trial of the present case subject to his furnishing bail bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Mansa.

November 16, 2015
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(NARESH KUMAR SANGHI)
JUDGE