

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 40662 of 2015 (O&M)
Date of decision : December 07, 2015

Gurjant Singh @ Janta

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. LS Sidhu, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

- 1. Whether Reporters of Local Newspapers 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 ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.183, dated 22.11.2014, registered under Section 21, 22, 61, 85 of the NDPS Act, at Police Station Baghapurana, District Moga.

Counsel for the petitioner has argued that as per the FIR, recovery was of intoxicating powder which, along with polythene envelope in which it was wrapped, came to be 100 grams. As per him, in these circumstances actual weight of the intoxicating powder could not be 100 grams and, therefore, it come under non-commercial quantity. The petitioner has been in custody since 22.11.2014.

Learned Addl. AG Punjab has, however, disputed this by saying that there is no warrant for this proposition, and that any finding by this Court in this regard may impact on the trial.

In my opinion, there is some weight in the argument of counsel for the respondent. Without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner as well as the fact that the trial is not likely to conclude in the near future, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the satisfaction of the trial Court.

Petition stands disposed of.

December 07, 2015
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(AJAY TEWARI)
JUDGE