

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

210

CRM-M- 41526 of 2014

Date of Decision: 16th January, 2015

Amandeep @ Lucky

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: Hon'ble Mrs. Justice Daya Chaudhary

Present: Mr. Prashant Vashisth, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.182 dated 30.08.2013, registered under Sections 22, 61, 85 of the NDPS Act at Police Station Bhargo Camp, Jalandhar (City) during the pendency of the trial.

Learned counsel for the petitioner submits that the alleged recovery is 110 gms of Alprazolam which is marginally more than the non-commercial quantity as recovery up to 100 gms is non-commercial. He also submits that there is no other case of NDPS Act pending against the petitioner and only two witnesses have been examined out of total 8 witnesses. The petitioner is in custody since 30.08.2013.

Learned State counsel has not disputed the factum of pendency of any other case of NDPS Act as well as custody period.

Keeping in view the fact that the alleged recovery is marginally more than non-commercial quantity; only two witnesses have been examined and that the petitioner is in custody from 30.08.2013, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

In case, the petitioner is found to be involved in any other case of NDPS Act, the State is at liberty to move application for cancellation of bail.

16.01.2015
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(DAYA CHAUDHARY)
JUDGE