

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-4196 of 2015

Date of decision:11.05.2015

Arun Kumar @ Happy

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Lalit Pathak, Advocate for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

Navita Singh, J. (Oral)

This petition has been moved by Arun Kumar @ Happy under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.167 dated 12.11.2014 registered under Sections 20/61/85 of Narcotic Drugs and Psychotropic Substances Act at Police Station Division No.2, Jalandhar.

According to the report of the Chemical Examiner, Tetrahydrocannabinol along with other contents was found in the sample. Only the percentage of resin was mentioned in the report but the percentage of Tetrahydrocannabinol and Indian hemp resin was not mentioned.

State counsel submits that as per the prescribed list, any quantity beyond 50 grams of the said chemical, i.e. Tetrahydrocannabinol, is commercial.

Prosecution evidence has not yet started and the trial is going to take quite some time. Also, there is no other case registered against the petitioner.

At this stage, it cannot be said that he was prima-facie in possession of 3 kilograms of charas. Bail to the satisfaction of the trial Court.

11.05.2015

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(NAVITA SINGH)

JUDGE