

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. M- No. 42382 of 2014 (O&M)

209

Date of decision : 12.01.2015

Dinesh Kumar

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. P.S. Miglani, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 154 dated 24.08.2014 registered under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bahav Wala.

The petitioner is alleged to have been found in illegal possession of 1 kg 500 grams of opium. It is submitted that the report under Section 173 Cr.P.C. has been submitted though without the report of the Chemical Examiner. The petitioner is in custody since 24.08.2014. There is no other case pending against the petitioner.

Learned counsel for the State, on instructions from Head Constable Kulwant Singh, verifies and affirms the above said factual position. It is also affirmed that there is no other case pending against the petitioner.

The trial in this case is likely to take some time to conclude. The quantity of narcotic allegedly recovered from the petitioner does not fall under the commercial category. There is no other case pending against the petitioner.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the controversy, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

January 12, 2015
rts

(LISA GILL)
JUDGE