219 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.M-M No.42766-2015
Date of decision : 22.12.2015

Jagga Singh

..... Petitioner

versus

State of Punjab

..... Respondent

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CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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Present : Mr. L.S.Sidhu, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, 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?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.65 dated 13.09.2015 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Jaurkian, District Mansa.

Custody certificate by way of affidavit of Jagwant Kumar Sharma PPS, Superintendent District Jail Mansa has been filed and the same is taken on record. As per the custody certificate the petitioner has been in

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custody for almost 3 months 9 days.

Learned counsel for the petitioner states that in the present case the recovery was of 110 tablets of Alprazolam (combined weight of all tablets was alleged to be 14 grams) whereas commercial quantity is 100 grams and the petitioner has been in custody for the past 3 months and 9 days. He further states that no other case under the NDPS Act is pending against the petitioner.

Learned Additional Advocate General, on instructions from H.C. Amarjit Singh has accepted these factual assertions.

Keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate, Mansa.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

December 22, 2015

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