

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-4685 of 2015

.....

Date of decision:18.2.2015

Dilbagh Singh alias Baga

...Petitioner

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Tarun Vir Singh Lehal, Advocate for the petitioner.

Mr. S.S. Chandumajra, Deputy Advocate General, Punjab for
the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.159 dated 21.11.2014 (Annexure-
P.1) registered for the offence under Section 21 of the Narcotic Drugs and
Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at
Police Station Ghuman, Police District Batala, District Gurdaspur.

Notice of motion to Advocate General, Punjab.

On the asking of the Court, Mr. S.S. Chandumajra, learned
Deputy Advocate General, Punjab has put in appearance and accepted
notice on behalf of the respondent-State and contested this petition. Police
record is also available.

I have heard learned counsel for the petitioner as well as

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learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

As per the prosecution case 50 capsules of Parvon Spas were recovered. The FSL report has not received so far. The petitioner is in custody since 21.11.2014.

At the time of arguments, it was admitted that the recovery is non-commercial quantity. The petitioner is not required for interrogation or investigation purposes as he is in judicial custody. Nothing is to be recovered from him. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case and in view of the fact that the recovery looks to be non-commercial quantity and the petitioner is in custody since 21.11.2014, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹35,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

February 18, 2015.

(Inderjit Singh)
Judge

hsp