

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CRM-M-9243-2015(O&M)

Decided on: 26.03.2015

Tejpal Singh @ Teja

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE MAHESH GROVER

Present: Mr.B.S.Makkar, Advocate for the petitioner.
Mr. Deepak Garg, Asstt. A.G.Punjab.

MAHESH GROVER, J (ORAL)

The petitioner namely Tejpal Singh @ Teja prays for concession of regular bail in terms of Section 439 of the Code of Criminal Procedure (hereinafter 'Cr.P.C') in a case registered vide FIR No.159 dated 20.12.2014, under Sections 18/61/85 of the Narcotic Drugs and Psychotropic Substances Act at Police Station Sadar Abohar, District Fazilka (Punjab).

The petitioner is alleged to have in possession of 1 kg opium.

Learned counsel for the petitioner contends that it is a non commercial quantity and neither any case is pending against him nor is he wanted in any other case. The fact of the petitioner having been in custody for the last three months is indicated from the custody certificate produced by the respondent. It also indicates that the petitioner is not involved in any other case. The report of the chemical examiner is yet awaited.

Noticing the aforesaid facts of the non commercial quantity of recovery, as also the fact that chemical examiner's report being still awaited, as also the petitioner's custody of three months, I would deem it appropriate to accept the petition and direct the petitioner to be released on bail in terms

of Section 439 Cr.P.C.

Bail to the satisfaction of learned trial Court.

26.03.2015
mamta

(MAHESH GROVER)
JUDGE