

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No.1032 of 2016 (O&M)
Date of Decision: 21.01.2016**

Avtar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Amardeep Singh Mann, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Pala Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused in case FIR No.63 dated 21.09.2015, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station Sadar Budhlada, District Mansa (**Annexure P-1**).

The alleged recovery is *04 vials of Rexcof Cough Syrup* from the possession of the petitioner/accused, which quantity concededly is non-commercial in nature.

Learned Counsel for the petitioner submits that the petitioner is in custody since 21.09.2015 and the prosecution evidence is yet to commence. He further submits that the petitioner is not involved in any other case under the NDPS Act.

Learned State Counsel, assisted by ASI Pala Singh, is unable to refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

January 21, 2016

Gagan

**(JASWANT SINGH)
JUDGE**