

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

**CRM-M No.11683 of 2016 (O&M)
Date of Decision: 08.04.2016**

Paramjit Singh @ Pamma

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by A.S.I. Lakhwinder Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Paramjit Singh @ Pamma in case FIR No.78 dated 18.10.2014, under Sections 21, 22 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Jhander, Amritsar Rural, District Amritsar.

The petitioner/accused is alleged to be holding a polythene bag containing 100 grams of intoxicating powder in his right hand and is alleged to have thrown the same on the ground on sighting the police party.

The petitioner/accused was granted interim bail and for his non-appearance on 30.11.2015, his bail bonds were cancelled and non-bailable warrants were issued. The petitioner surrendered before the trial Court on 24.02.2016.

Learned Counsel for the petitioner contends that the allegations taken on the face value are highly unbelievable as no prudent man would display 100 grams of intoxicating powder in his right hand, as alleged. Even the recovery is from the side of the road and cannot be attributed to be in the

conscious possession of the petitioner/accused. Still further, the interim bail granted was never misused and for the solitary absence, his bail bonds were straightway cancelled. Lastly, it is submitted that the petitioner is not involved in any other criminal case, moreso, under the NDPS Act.

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

Keeping in overall view of the matter, it is felt that the petitioner is entitled to the concession of regular bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

April 08, 2016

Gagan

(JASWANT SINGH)
JUDGE