

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

CRM-M No. 13512 of 2016 (O&M)

Date of Decision: 29.04.2016

Darshan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Gurbhajaneek Singh Samra, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by HC Pargat Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 of Cr.P.C., is for grant of regular bail on behalf of the petitioner/accused-Darshan Singh in case FIR No. 47, dated 31.05.2015, for the offence punishable under Section 22 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Bareta, District Mansa.

As per allegations, recovery of 400 intoxicating tablets of Alprazolam (each tablet of 0.5 mg.) from the conscious possession of the petitioner/accused was made.

It is contended that after receipt of FSL report, the total weight of the seized contraband comes to 59.2 grams, which is concededly non-commercial in nature. The petitioner is stated to be in custody since 31.05.2015 and not involved in any other criminal activity. It is further contended that out of six prosecution witnesses, only two witnesses have since been examined.

Learned State Counsel, assisted by HC Pargat Singh, does not refute the above said factual contentions.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period of the petitioner and the fact that the trial is not likely to be concluded in near future, no useful purpose would be served by keeping the petitioner/accused in custody, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

April 29, 2016

'dk kamra'

**(JASWANT SINGH)
JUDGE**