

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

**CRM-M No.15299 of 2016 (O&M)
Date of Decision: 11.05.2016**

Gurtej Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Bikramjeet Singh Jatana, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by H.C. Darshan Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Gurtej Singh in case FIR No.16 dated 05.02.2016, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station City Budhlada, District Mansa (**Annexure P-1**).

As per the allegations, recovery of 100 intoxicating tablets of Alprazolam (each tablet of 0.5 mg) was effected from the conscious possession of the petitioner/accused and two other co-accused/non-applicants, namely, Ghamanda Singh and Kulwant Singh @ Mada Singh.

It is contended that the seized quantity is non-commercial in nature and the petitioner is in custody since 05.02.2016 and challan stands presented on 18.04.2016. The petitioner is stated to be not involved in any other case and co-accused/Ghamanda Singh has since been released on regular bail by this Court, vide order dated 25.04.2016.

Learned State Counsel, assisted by H.C. Darshan Singh, is unable to refute the aforesaid situation.

Without commenting on the merits of the case, keeping in view the custody period, parity of treatment, the seized quantity being non-commercial in nature, non-involvement of the petitioner in any other case 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.

May 11, 2016

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**(JASWANT SINGH)
JUDGE**