

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

**CRM-M No.19489 of 2016 (O&M)
Date of Decision: 03.06.2016**

Malkiat Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kamal Narula, Advocate for the petitioner.

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

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner-accused Malkiat Singh in case FIR No.56 dated 27.06.2015, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station Boha, District Mansa (**Annexure P-1**).

The alleged recovery is 300 tablets of *Microlit* 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 27.06.2015 and the petitioner is not involved in any other case under the NDPS Act.

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

Without commenting on the merits of the case, keeping in view the custody period, the seized quantity being non-commercial in nature 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.

June 03, 2016

Gagan

**(JASWANT SINGH)
JUDGE**