

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

CRL. MISC. No.M-22598 OF 2016
DATE OF DECISION : 12TH JULY, 2016

Satinder Singh @ Sonu

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Mr. Shilesh Gupta, Additional Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.47 dated 02.04.2016 registered under Sections 21, 61, 85 NDPS Act at Police Station Sadar Phagwara, District Kapurthala.

Heard learned counsel for the rival parties.

Learned counsel for the petitioner submits that 255 grams of heroine is said to have been recovered as against 250 grams. He further submits that this Court has taken view in case of marginal increase of excess quantity the relief of bail can be granted.

Learned State counsel submits that there is one more case of similar nature against the petitioner in which he is on bail.

Looking to the view taken by this Court in the case of ***Gurpreet Singh @ Gopi Vs. State of Punjab*** reported as ***2014(2) Law Herald 1052***, I intend to make following order:

ORDER

- (i) The petition is allowed and the petitioner be released on bail to the satisfaction of the Trial Court.
- (ii) The petitioner shall file an affidavit that he will not commit such type of offence again.
- (iii) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioner.

12TH JULY, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE