

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M-22673 of 2016
Date of Decision:-26.07.2016

Gurbax Singh @ Happy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Bir Davinder Singh, Advocate for the petitioner.

Mr.Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of bail to the petitioner in case FIR No.132, dated 23.07.2015, for offence punishable under Sections 25 of the NDPS Act, 1985, registered at Police Station City Kotkapura, District Faridkot.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he was found possession of 800 intoxicating tablets of *Alprazolam* with average weight of about 137 mg. i.e. in total 109.6 grams which is marginally higher than the commercial quantity. He further submits that the petitioner is in custody since 23.07.2015 and there is no other case registered against him except the present one.

Learned counsel for the State, on instructions from ASI-Paramjit Singh, does not dispute the aforesaid fact and fairly states that as against the total 11 witnesses cited by the prosecution, no prosecution witness has been examined so far.

Heard.

Without commenting upon the merits of the case, but keeping in view of the fact that petitioner is in custody since 23.07.2015, coupled with the fact that the alleged recovery is marginally higher than the commercial quantity as well as the fact that the case is at the initial stage, and even no prosecution witness has been examined so far, the petitioner is ordered to be released on bail on his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial Court.

The petition is disposed of accordingly.

(HARI PAL VERMA)
JUDGE

July 26, 2016
Anjal