

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

CRM-M-24486 of 2016 (O&M)
Date of decision : 28.07.2016

Surpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anterpreet Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Sukhpal Singh

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.10 dated 15.02.2016, registered under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS'), at Police Station Sadar Banga, District SBS Nagar.

Contends that the recovery of poppy husk is non-commercial as the weight of the bag has also been included. He further states that otherwise also it is marginally higher than the commercial quantity. The petitioner is behind bars since 15.02.2016.

On the other hand, the learned State counsel submits that it is clearly made out that alleged quantity is commercial, however, on

instructions, he states that the petitioner is not involved in any other FIR.

Heard.

Keeping in view the facts that the petitioner is in custody since 15.02.2016 and he is not involved in any other case, no useful purpose would be achieved in keeping the petitioner behind the bars.

In view of above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

28.07.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No