

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

**CRM-M No.23788 of 2015 (O&M)
Date of Decision:11.01.2016**

Ajaib Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jagraj Singh Khiva, Advocate for the petitioner.

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

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused in case FIR No.31 dated 30.05.2015, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Sadar Budhlada, District Mansa (**Annexure P-1**).

The alleged recovery is 7 Kg. of *Bhang* from the possession of the petitioner/accused.

Learned Counsel for the petitioner submits that the petitioner is 75 years' old and is in custody since 30.05.2015. He further submits that even as per the Chemical Examiner Report, no percentage of '*Tetra Hydrocannabinol*', which is alleged to be a narcotic contraband, has been specified and, therefore, it cannot be assumed that the entire seized quantity is commercial in nature and the petitioner is not involved in any other case.

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

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused-Ajaib Singh 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.

January 11, 2016

Gagan

(JASWANT SINGH)
JUDGE