

CRM-M-24982-2016

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

CRM-M-24982-2016

Date of Decision: 31.08.2016

Lal Babu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mohd. Yousaf, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.16 dated 27.01.2015, registered at Police Station Division No.2, Ludhiana, District Ludhiana, under Section 22 of NDPS Act (but charge-sheeted under Section 25-A of NDPS Act).

Notice of motion was issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the prosecution version, intoxicant powder weighing 150 grams and 120 grams was recovered from

CRM-M-24982-2016

the present petitioner and non-petitioner/Surinder Singh alias Bakri. The contraband effected from the present petitioner is Pseudoephedrine. As such, bar of Section 37 of NDPS Act will not be applicable in the present case.

Earlier the petitioner remained in custody for four months and was granted interim bail. On receipt of report of chemical examiner, interim bail of the petitioner was cancelled on 18.05.2016 and since then, he has been in custody. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

31.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note: Whether speaking/reasoned : Yes
Whether reportable : No