

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-26762 of 2016

Date of Decision: 16.08.2016

Lachhman Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. H.S. Maan, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.28 dated 12.5.2015 under Section 22 of the NDPS Act registered at Police Station Jhunir, District Mansa.

Learned counsel for the petitioner contends that the alleged recovery from the petitioner is of 250 tablets of Alprazolam and the total weight of the same comes to about 36.75 grams., which falls in non-commercial category. He further submits that the petitioner is in custody since 13.5.2015 and there is no other case pending against him. Since the trial in the case will take sufficiently long time, the petitioner is entitled to be released on regular bail. He relies upon an order of this Court in

Karnail Singh v. State of Punjab CRM-M-7884-2016 decided on 23.4.2016.

Learned State counsel does not dispute the custody period of the petitioner, as aforesaid.

I have heard learned counsel for the parties.

The petitioner was found in possession of 250 tablets of Alprazolam, the total weight of which comes to about 36.75 grams, which falls in non-commercial category. Apart from this, keeping in view the fact that the petitioner is in custody since 13.5.2015 and there is no other case pending against him, the present petition is allowed. Accordingly, the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

August 16, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No