

206.

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

CRM-M-27066-2016

Date of decision:11.08.2016

Gurdev Singh

... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Ramesh Sharma, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of bail to the petitioner in case FIR No.229 dated 13.08.2014 under Sections 22 of NDPS Act, Police Station City Kapurthala, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner is in custody since 07.06.2016 and the allegation against him is of recovery of 55 grams of diphenoxylate hydrochloride, which is marginally higher than the commercial quantity.

Learned State counsel, on instructions from ASI Tarsem Lal, does not dispute the custody. However, he states that as the case of the petitioner falls in the category of commercial quantity, he does not deserve concession of bail.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, but keeping in view of the fact that the alleged recovery is 55 grams of diphenoxylate hydrochloride which is marginally higher than the commercial quantity, coupled with the fact that the petitioner is in custody since 07.06.2016 as well as the fact that the trial in the case will take sufficient long time to conclude, petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial Court.

Petition stands allowed.

(HARI PAL VERMA)
JUDGE

11.08.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.