

207.

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

CRM-M-27098-2016

Date of decision:11.08.2016

Channa Singh

... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.R.S. Sekhon, 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 regular bail to the petitioner in case FIR No.144 dated 24.12.2015 under Sections 22 of NDPS Act, Police Station Mamdot, District Ferozepur.

Learned counsel for the petitioner contends that the alleged recovery is of 265 grams heroin which is marginally higher than the commercial quantity. He further submits that the petitioner is in custody since 24.12.2015.

Learned State counsel has filed the custody certificate of the petitioner in court today which is taken on record. He does not dispute the aforesaid fact. However, he states that though there is another case against the petitioner i.e. FIR No.141 dated 12.10.2014, under Sections 21, 25, 29 of NDPC Act at Police Station Mamdot but in that case, he is on 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 of 265 grams heroin which is marginally higher than the commercial quantity, coupled with the fact that the petitioner is in custody since 24.12.2015 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 CJM/Duty Magistrate, Ferozepur.

Accordingly the petition stands allowed.

However, it is made clear that in case, the petitioner is found involved in any case of similar nature, prosecution will be at liberty to seek cancellation of his bail in the present case.

(HARI PAL VERMA)
JUDGE

11.08.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.