

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

**CRM-M No.2784 of 2016 (O&M)
Date of Decision: 29.01.2016**

Joginder Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Dhivya Jerath, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by A.S.I. Jaspal Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner in case FIR No.38 dated 09.06.2015 for the offences punishable under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Sadar Budhlada, District Mansa **(Annexure P-1)**.

There is alleged recovery of 140 intoxicated tablets of Alprazom-0.5 from the petitioner.

Learned Counsel for the petitioner submits that the seized quantity is non-commercial in nature, therefore, the bar provided under Section 37 of the NDPS Act is not applicable. She further submits that the petitioner is not involved in any other criminal case.

The petitioner is stated to be in custody since 09.06.2015 and the case is at the stage of recording of prosecution evidence.

Learned State Counsel, assisted by ASI Jaspal 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 deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Mansa.

Disposed of.

January 29, 2016

Gagan

**(JASWANT SINGH)
JUDGE**