

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

**CRM-M No.28122 of 2016 (O&M)
Date of decision : 28.09.2016**

Amandeep Singh @ Aman

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.K.Arya, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.43 dated 10.02.2015 registered under Sections 21/61/85 of NDPS Act at Police Station Civil Line, District Amritsar (Punjab).

As per the FIR two people were walking and on suspicion they were searched and heroin was recovered.

Learned counsel for the petitioner states that recovery from the petitioner is 200 grams which is a non-commercial quantity. The petitioner has been in custody for more than 1 ½ years.

Custody certificate by way of affidavit of Kulwant Singh, Officiating Superintendent, Central Jail, Amritsar on behalf of State has been filed and the same is taken on record. Copy supplied to the counsel opposite. As per the custody certificate the petitioner has been in custody for 01 year, 07 months and 14 days and no other case under the NDPS Act is pending against him.

Be that as it may, keeping in view the fact that trial is not likely to be concluded in the near future and the period of incarceration already suffered by the petitioner and recovery being non-commercial, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

28.09.2016

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No