

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

**CRM-M No.3190 of 2016 (O&M)
Date of Decision: 08.02.2016**

Rajinder Gir

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashok Giri, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Raj Kumar.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused in case FIR No.321 dated 22.12.2015, under Sections 15/61/85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station Sohana, District SAS Nagar.

The alleged recovery is 15 Kgs. of *Poppy Husk* from the possession of the petitioner/accused, which quantity concededly is non-commercial in nature.

Learned Counsel for the petitioner submits that the petitioner is in custody since 22.12.2015 and the matter is still under investigation. He further submits that the petitioner is not involved in any other case.

Learned State Counsel, assisted by HC Raj Kumar, 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 concerned.

Disposed of.

February 08, 2016
Gagan

**(JASWANT SINGH)
JUDGE**