

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-3191 of 2016 (O&M)

Date of Decision: 21.3.2016

Jaskaran Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vivek Goel, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.76 dated 24.5.2015 under sections 22, 61, 85 of N.D.P.S Act, registered at Police Station, Kartarpur, District Jalandhar.

Learned counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner is of 135 grams of intoxicating powder which on analysis was found to be Alprazolam.

Petitioner has been in custody since 25.5.2015. Counsel places reliance upon order dated 17.2.2016, passed by a Coordinate Bench of this Court in CRM No. M-959 of 2016, wherein under similar circumstances of an alleged recovery of 135 grams of Alprazolam, benefit of regular bail was granted construing the same to be marginally over and above the commercial quantity.

Petitioner is not stated to be involved in any other case under the N.D.P.S Act.

Furthermore, trial is stated to be at the initial stage as out of 11 prosecution witnesses cited only 3 have been examined till date.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jalandhar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

21.3.2016

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