

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

CRM No.M-32928 of 2016 (O&M)

Date of decision: December 1, 2016

Sanjeev Kumar alias Happy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Arnav Sood, Advocate
for the petitioner.

Ms. Shivali, AAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner-Sanjeev Kumar alias Happy has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.34 dated 06.06.2016, registered at Police Station Bilga, District Jalandhar, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued in this case.

Ms. Shivali, Asstt. Advocate General, Punjab, has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, the present petitioner was apprehended while coming from Talwan side carrying one bag in his right hand and on checking Alprazolam tablets were recovered from the bag. Recovery of Alprazolam tablets falls under commercial quantity as per prosecution version.

Learned counsel for the petitioner stated that the petitioner is a licensed chemist and is running a chemist shop in village Talwan. He also produced a copy of license on the record and also shown original license to this Court at the time of arguments, which shows that the petitioner is authorized to keep and sale Alprazolam tablets at his shop. He also relied upon the bill bearing invoice dated 23.05.2016 depicting the sale of drugs from whole sale chemist shop.

Moreover, the petitioner is in custody since 06.06.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

December 1, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No