

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

**Criminal Misc. No. M-33434 of 2016
Date of Decision:-26.09.2016**

Amarpal Singh alias Pal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Karan Garg, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.13 dated 23.1.2016, under Section 22 of the NDPS Act, registered at Police Station Civil Lines, Bathinda.

Learned counsel for the petitioner states that the allegation against the petitioner is that he was found in his possession 55 vials of Rexcof 100 ml each. He states that he is in custody since 24.1.2016. Challan in the case has been presented. No prosecution witness has been examined so far. He states that petitioner is not involved in any other case. Learned counsel for the petitioner has relied upon **CrI. Misc. No. M-42099 of 2013** titled 'Pardeep Singh vs. State of Punjab' wherein recovery of 60

vials of Rexcof, 200 tablets of Carisol and 450 tablets of Karisoma has been effected from a car and this Court has admitted the petitioner on bail.

Learned State counsel on instructions from ASI Kashmir Singh does not dispute the custody as well as the fact that petitioner is not involved in any other case. He further states that recovery of 55 vials of Rexcof 100 ml each have been recovered from the petitioner.

I have heard learned counsel for the parties.

Taking into consideration the order passed by co-ordinate Bench of this Court in CrI. Misc. No. M-42099 of 2013, I deem it appropriate to grant relief of regular bail to the petitioner.

Accordingly, the petition is **accepted**. The petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Bathinda.

It is made clear that in case the petitioner is found involve in such like activities again, the prosecution would be at liberty to seek cancellation of his bail.

September 26, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No