

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

CRM No.M-35728 of 2015 (O&M)

Date of Decision: 04.02.2016

Baljit Singh @ Kuku

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Karanjit Singh, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

....

TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.56 dated 28.05.2015, under Sections 21, 61, 85 of NDPS Act, registered at Police Station Rahon, District SBS Nagar.

Counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 255 grams of Diacetylmorphine has been recovered from the present petitioner. It has gone uncontroverted that such quantity would be marginally over and above the commercial benchmark. Investigation in the case having been completed, challan was presented and even charges have been framed on 21.10.2015.

Learned State counsel upon instructions from ASI Manohar Lal would apprise the Court that even though 11 prosecution witnesses have been cited but till date none has been examined. The trial, as such, is at the very initial stage.

The petitioner is not stated to be involved in any other case under the NDPS Act.

Without making any observations on merits, petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, SBS Nagar.

Disposed of.

04.02.2016

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**(TEJINDER SINGH DHINDSA)
JUDGE**