

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-38083 of 2016

.....

Date of decision:8.12.2016

Gulab Singh and another

.....Petitioners

v.

State of Punjab

.....Respondent

....

Present: Mr. Nikhil Bhatia, Advocate for Mr. S.P.S. Sidhu, Advocate for the petitioners.

Mr. P.S. Grewal, Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.79 dated 7.4.2011 registered for the offence under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') at Police Station City Kotkapura, District Faridkot.

Notice of motion has been issued in this case.

Mr. P.S. Grewal, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners and learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

The petitioners have been summoned under Section 319 Cr.P.C. in this case. The recovery from the co-accused is stated to be only 500 Grams of opium which falls in non-commercial quantity. The petitioners have already appeared before the trial Court and have been released on interim bail by the trial Court. The trial of the case will take long time. The petitioners are only to appear before the trial Court to face trial. No useful purpose will be served by sending the petitioners to custody.

Therefore, keeping in view the facts and circumstances of the present case; I find merit in this petition and the same is allowed. The interim order dated 24.10.2016 passed by this Court granting interim bail to the petitioners is made absolute.

December 8, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No