

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

220

CRL. MISC. No.M-41530 OF 2016 (O&M)
DATE OF DECISION : 30th NOVEMBER, 2016

Harjinder Singh @ Binda

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Simranjeet Singh Sarwara, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail on medical grounds in FIR No. 63 dated 17.06.2016, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Balongi, District SAS Nagar.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. The quantity allegedly recovered from the petitioner is non commercial quantity as the weight of bags has also been included. The challan has also not been filed. The petitioner is in custody since 17.06.2016.

Heard learned counsel for the rival parties.

It is not in dispute that the quantity is non-commercial. Considering the fact that the petitioner is in custody since 17.06.2016, without adverting to the merits of the instant case, this petition is allowed.

Bail to the satisfaction of the concerned CJM/Duty Magistrate.

30th NOVEMBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No