

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

CRM-M No.40650 of 2015 (O&M)

Date of Decision: 04.02.2016

Harjeet Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Bikramjeet Singh Jatana, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by ASI Darshan Singh.

JASWANT SINGH, J. (Oral)

Present 2nd petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner in case FIR No.28 dated 05.02.2015, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act and Sections 61/1/14 of the Excise Act, registered with Police Station Tripuri Town, District Patiala (**Annexure P-1**).

There is alleged recovery of 1100 ML of Intoxicating Liquid, containing *Codeine Phosphate* along with 60 bottles of Whisky from the petitioner.

The petitioner is stated to be in custody since 05.02.2015.

Learned Counsel for the petitioner submits that the recovery is marginally commercial and the petitioner is not involved in any other case.

Learned State Counsel, assisted by ASI Darshan Singh, is unable to refute regarding the custody period while stating that only examination-in-chief of 02 prosecution witnesses have been completed out of 11 cited prosecution witnesses.

Without commenting on the merits of the case, keeping in view the custody period; the quantity being marginal commercial in nature and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Patiala.

Disposed of.

February 04, 2016

Gagan

**(JASWANT SINGH)
JUDGE**