

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

CRM-M No.42824 of 2016.

Date of Decision: 08.12.2016.

Pankaj Bansal @ Sonu

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

SNEH PRASHAR, J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case based on First Information Report No.50 dated 20.04.2016 under Section 21/22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "the Act of 1985") and Section 61/1/14 of the Excise Act registered at Police Station "C" Division, District Amritsar.

As per prosecution story, the car being driven by the petitioner was intercepted by the police during checking of vehicles. On personal search of Gurmeet Singh @ Dhammi @ Sonu, who was travelling with the petitioner in the car, a polythene envelope containing intoxicant powder was recovered. Two samples of five grams each were taken and the residue on weighment came out to be 265 grams. In addition to the same, 120 bottles of

The submissions made by Mr. Rishu Mahajan, learned counsel representing the petitioner and Ms. Bhavna Gupta, learned Deputy Advocate General, Punjab have been heard.

Learned counsel for the petitioner submits that the petitioner is in custody since 21.09.2016. It is not the allegation that any incriminating material was recovered on personal search of the petitioner. He was only driver of the car and has not been involved in any other criminal case till date.

The trial being faced by the petitioner is still likely to take some time. Considering the submissions made and without going into the merits and also least any expression above may prejudice the case of either side, the petitioner is released on regular bail during pendency of the trial on his furnishing bail/ surety bonds to the satisfaction of learned trial Court, subject to the condition that in case he is found to commit similar offence of which he is presently accused of during the pendency of the trial, the prosecution will be at liberty to seek the cancellation of bail.

(SNEH PRASHAR)
JUDGE

08.12.2016
jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No