

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

CRL. MISC. No.M-43038 OF 2016
DATE OF DECISION : 14th DECEMBER, 2016

Manik Negi

.... Petitioner

Versus

Intelligence Officer, Narcotics Control Bureau,

.... Respondent

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

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

Mr. D. D. Sharma, Advocate for the respondent-NCB.

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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 in complaint No. NDPS/7513 dated 12.07.2016 registered under Sections 8/21/29 NDPS Act at Police Station Narcotics Control Bureau, District Amritsar City.

Heard learned counsel for the rival parties.

Learned counsel for the Narcotics Control Bureau (NCB) vehemently opposed the petition for bail on the ground that Section 27(a) as well as Section 29 of the NDPS Act are attracted and these offences are punishable for a period not less than ten years. According to him the averments made in the complaint clearly show the attribution of specific role to the petitioner. Hence the petition should be rejected.

I have perused the entire complaint so also the averments therein. Prima facie, upon hearing learned counsel for the rival parties it is seen that 60 grams of heroin was seized on 02.07.2016 from the

petitioner and the allegation against the petitioner is that an amount of ₹2,56,000/- has been found from the room of the petitioner which is the sale proceed. Looking to the nature of the offence I think the petitioner is entitled to be released on bail.

ORDER

- (i) CRL. MISC. No.M-43038 OF 2016 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the CJM/Duty Magistrate, Amritsar.

14th DECEMBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

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