

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-43262 of 2016

Date of decision: December 12, 2016

Gurwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Ajay Pal Singh, Advocate for the petitioner.

Mr. Shailesh Gupta, AAG, Punjab.

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 Sections 15/61/85 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 noncommercial. 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.

(A.B. CHAUDHARI)
JUDGE

December 12, 2016

Poonam (II)

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No.