

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

CRM-M-4369-2016 (O&M)

Date of decision : 01.03.2016

RANJEET SINGH @ HONEY

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J. S.Sandhu, Advocate
for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab
assisted with ASI Krishan Singh.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) seeking regular bail in case FIR No.10 dated 10.01.2015, registered under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, (for short, 'the NDPS') at Police Station Talwandi Sabo, District Bathinda.

It is contended that the co-accused namely Gurpreet Singh @ Pinka has been admitted to bail by the learned trial Court. He states that quantity in the instant case is marginally above the commercial quantity. The petitioner is a young boy of 22 years, who had procured the substance for his consumption. He is not involved in the sale and purchase of the NDPS substance. Further, the petitioner is in custody since 15.01.2015.

On the other hand, the learned State counsel admits the factum of bail allowed to the co-accused, Gurpreet Singh. However, he states that the recovery effected from him falls under non-commercial quantity, whereas the recovery in the present case is commercial in nature. As per the Annexure R1/T, petitioner with a history of drug abuse was admitted to De-addiction Center, maintained by the jail authorities. He further states that none of 11 PWs has been examined, so far.

Considering the fact that the petitioner is in custody since 15.01.2015 and is trying to rehabilitate himself and the fact that out of 11 PWs, none has been examined so far, this Court feels that in such like cases it will advance the cause of justice, in case the present appeal is allowed and the petitioner is permitted to

rehabilitate himself. Accordingly, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail, on his furnishing bail bonds/surety bonds, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case

01.03.2016

ashok

(JITENDRA CHAUHAN)
JUDGE