

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

CRM No.M-448 of 2016 (O&M)

Date of Decision: 03.02.2016

Amandeep Singh @ Aman

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Amit Dhawan, Advocate for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.148 dated 12.08.2013, under Section 22 of the NDPS Act, registered at Police Station Division No.5, Jalandhar.

Counsel for the parties have been heard.

As per prosecution version, the recovery from the petitioner is 110 grams of Alparazolam.

Investigation in the present case is complete and the challan has already been presented. State counsel further apprises the Court that out of 11 prosecution witnesses cited, 4 have been examined till date. The trial, as such, would take time to conclude.

Counsel appearing for the petitioner has brought to the notice of this Court order dated 08.02.2013 passed by a coordinate Bench of this Court in **CRM No.M-2005 of 2013 titled as Bachan Lal @ Kala vs. State of Punjab** wherein also the benefit of regular bail pending trial had been granted to the petitioner therein in a case of alleged recovery of identical quantity i.e. 110 grams of Alparazolam.

Alleged recovery against the petitioner being marginally over and above the commercial quantity and keeping in view the undisputed fact that there is no other case against the petitioner under the NDPS Act, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

Disposed of.

03.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**