

224.

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

CRM-M-44977-2016

Date of decision:22.12.2016

PARAMJIT SINGH @ PAMMA

... Petitioner

versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Kamal Narula, Advocate,
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.66 dated 24.05.2016 under Sections 21/29 of NDPS Act, registered at Police Station Sadar Jalalabad, District Fazilka.

Learned counsel for the petitioner relies upon judgment dated 01.12.2016 of this Court passed in CRM-M-35186-2016 where the co-accused, namely, Manjit Kaur @ Jeeto has already been admitted on regular bail. He further states that the alleged recovery is of 255 grams of heroine, which is marginally higher than the prescribed commercial quantity. The petitioner is in custody since 24.05.2016.

Learned State counsel, on instructions from ASI Kulwant Singh, submits that since the quantity of contraband is more than the prescribed commercial quantity, the petitioner does not deserve to be

released on bail.

I have heard learned counsel for the parties.

The alleged recovery of heroine from the petitioner is 255 grams, which is marginally higher than the prescribed limit of commercial quantity. The petitioner is in custody since 24.05.2016 and the trial in the case will take long time.

Accordingly, the petition is allowed and the petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Fazilka.

However, it is made clear that in case the petitioner is found indulged in any other case of similar nature, the prosecution is at liberty to seek cancellation of his bail.

(HARI PAL VERMA)
JUDGE

22.12.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.