

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

CRM-M No.4522 of 2016

Date of Decision:-12.02.2016

Gurmail Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Satnam Singh Gill, Advocate for the Petitioner.

Ms. Rimplejit Kaur, Assistant Advocate General, Punjab
assisted by ASI Balbir Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Gurmail Singh in case FIR No.198 dated 16.09.2015 for offences punishable under Sections 15/61/85 of NDPS Act registered with Police Station Laddowal, District Ludhiana.

There is alleged recovery of 53 Kg of Poppy Husk from the petitioner-accused and co-accused Dilawar Khan.

It is contended that recovery is marginally commercial as more than 50Kg of Poppy Husk is notified as Commercial. It is further contended that the petitioner is in custody since 16.09.2015. It is further stated that the petitioner is not involved in any other criminal case.

Learned State Counsel assisted by ASI Balbir Singh admits qua the custody period and that the Chemical Examiner report is yet to received and that although investigations are over, however, challan is yet to be presented.

Without going into the merits of the case, keeping in view the fact that the seized contraband is marginally commercial and the petitioner is not involved in any other case and that trial is not likely to be concluded in near future, present petition is allowed and the petitioner Gurmail Singh is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Ludhiana.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 12, 2016
Vinay