

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

CRM-M No.44317 of 2015 (O&M)

Date of Decision: 05.05.2016

Ramandeep Singh @ Romi

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Prashant Vashisth, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Jaswinder Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Ramandeep Singh @ Romi in case FIR No.126 dated 06.10.2014, under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station Sadar Mansa, District Mansa.

The petitioner was apprehended on 06.10.2014 and found in possession of 12 vials of Rexcof Syrup and 200 tablets of Carisol.

It is admitted case that the tablets of Carisol do not fall under the notification of the NDPS Act.

It is contended that the petitioner is in custody since 06.10.2014 and only 01 out of 08 prosecution witnesses has since been examined. It is next contended that the seized contraband if converted into grams amounts to 1 Kg. and 100 grams (approximately) and thus marginally commercial (as 1 Kg. of the seized contraband is specified to be commercial in nature). It is next contended that the petitioner is not involved in any other case.

Learned State Counsel, assisted by ASI Jaswinder Singh, is unable to refute the custody period, stage of the trial, that the seized quantity is marginally commercial, and that of non-involvement in any other case.

Without commenting on the merits of the case, keeping in view the custody period; the seized quantity being marginally commercial, non-involvement of the petitioner in any other case and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 05, 2016

Gagan

(JASWANT SINGH)

JUDGE