

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

224

CRM-M-644-2016

Date of Decision: January 14, 2016

SARBJEET SINGH @ GHULLA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Vivek Goel, Advocate for the petitioner
Mr.Jashan Preet Singh, AAG,Punjab

M.M.S.BEDI, J.(Oral)

The petitioner has been in custody w.e.f. 30.5.2015 for having been found in possession of 50 grams of intoxicating powder which till date has not been analysed by Forensic Science Laboratory. The period for presentation of challan has been extended beyond 180 days for a period of three more months.

Considering the worse, even in case the contents of the powder recovered from the petitioner are found to be violative of any provision of the NDPS Act, the case will not fall under the commercial category mentioned in the schedule to the NDPS Act.

Taking into consideration the period of detention of the petitioner for about 7½ months and the aforesaid fact, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the Chief Judicial Magistrate, Faridkot subject to the condition that the petitioner will not commit the similar offence for which he is accused of during the entire period of trial.

January 14, 2016
TSG

(M.M.S.BEDI)
JUDGE