

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-7968 of 2016 (O&M)

Date of Decision: 21.3.2016

Gulshan Kumar

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.10 dated 23.1.2015 under section 22 of N.D.P.S Act, registered at Police Station, Mamdot, District Ferozepur.

Learned counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner was of 260 grams of intoxicating powder and which upon analysis was found to be Diacetylmorphine.

The recovery would be construed as marginally over and above the commercial quantity.

It has gone uncontroverted that awaiting the report of the Chemical Examiner, petitioner had been granted concession of interim bail and such concession was not misused by the petitioner. Petitioner, otherwise is not stated to be involved in any other case under the N.D.P.S Act.

Even the trial is stated to be at the initial stage.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Ferozepur.

Petition disposed of.

**(TEJINDER SINGH DHINDSA)
JUDGE**

21.3.2016

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