

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-9931 of 2016 (O&M)

Date of Decision: 31.3.2016

Raj Kumar @ Laddu

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Ms. Satwant Mehta, 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.240 dated 16.9.2014 under sections 22,61,85 of N.D.P.S Act, registered at Police Station, Patti, District Taran Taran.

Learned counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner was of 60 grams of narcotic powder. Samples having been sent, report of the Chemical Examiner has revealed the same to be containing Diphenoxylate Hydrochloride.

It has gone uncontroverted that awaiting the report of the Chemical Examiner petitioner was on interim bail for a period of almost one year and such concession was not misused.

Even otherwise, the alleged recovery from the petitioner would be construed as marginally over and above the commercial quantity.

Petitioner is not stated to be involved in any other case under the N.D.P.S Act.

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

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

31.3.2016

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