

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

CRM-M No.10639 of 2017

Date of decision : 08.05.2017

Rajinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. AMOL RATTAN SINGH

Present: Mr. Karan Garg, Advocate, for the petitioner.

Mr. Rajesh Mehta, Additional Advocate General, Punjab.

AMOL RATTAN SINGH J. (ORAL)

This petition has been filed under Section 439 Cr.P.C., seeking 'regular bail' to the petitioner in case FIR No.15 dated 18.01.2017, registered at Police Station Raman, District Bathinda, for the alleged commission of an offence punishable under Section 22 of the NDPS Act, 1985.

Pursuant to the order dated 24.04.2017, learned State counsel has produced in Court today a licence issued to one Pardeep Kumar on 20.05.2013, valid till 09.05.2018, by the Zonal Licencing Authority (Drugs), Bathinda, on which it is stamped that the said Pardeep Kumar is allowed to sell "original drugs" as per the licence annexed in the form of Forms 20 and 21, except for drugs containing narcotic substances, including Difloxacin.

Further, learned State counsel, on instructions from the Drug Inspector who is present in Court to assist him, submits that what was seized from the shop where the petitioner is also stated to have been arrested from (he obviously not being Pardeep Kumar), is a drug given the brand name of Momolit which is stated to contain the aforesaid Difloxacin.

In view of the fact that the petitioner is not the owner of the shop, but without making any final comment upon the actual merits of the

case, for or against him, since the petitioner is stated to have been in custody since January, 2017, with the challan still not presented, I consider it appropriate to admit him to bail, upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, Bathinda further subject to any condition that would be laid down by that Court.

08.05.2017
adhikari/rajneesh

(AMOL RATTAN SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>