

CRM-M-1151-2017

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

CRM-M-1151-2017

Date of Decision: 03.03.2017

Shaminder Singh alias Mottu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vinay Pandey, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Shaminder Singh alias Mottu has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.71 dated 26.09.2016, registered at Police Station Bariwala, District Sri Muktsar Sahib, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act')

Notice of motion was issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

CRM-M-1151-2017

From the record, I find that as per the allegations, 10 Rexcof bottles and 100 tablets of Alprakenn 0.5 from Gurmeet Singh and 240 tablets of Alprakenn 0.5 from petitioner-Shaminder Singh were recovered. The recovery effected from the present petitioner falls in non-commercial quantity and, therefore, Section 37 of the NDPS Act will not apply in this case.

The petitioner has been in custody since 26.09.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

03.03.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No