

213

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 12394 of 2017
Date of Decision: 23.05.2017

Ladi Gupta

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gagan Oberoi, Advocate,
for the petitioner.

Mr. P.S. Ghuman, Additional A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing F.I.R. No. 89, dated 20.04.2015, registered under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short the N.D.P.S. Act), at Police Station Samrala, Ludhiana, Punjab.

The petitioner is accused of offence under Section 22 of the N.D.P.S. Act, wherein 50 grams of intoxicant powder was allegedly recovered from him. The powder on analysis was found to be containing Diphenoxylate Hydrochloride. The alleged recovery was non-commercial in nature.

The petitioner is in custody since 20.04.2015.

Learned State counsel on instructions from Head Constable Mukhtiar Singh submitted that the petitioner is not involved in any other case.

Learned counsel for the petitioner wants to lead defence evidence. 02.06.2017 is the date fixed before the trial Court.

Since the recovery is in respect of the contraband, the quantity of which is non-commercial in nature, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the trial Court/ Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 23, 2017

Apurva

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No