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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 15319 of 2017
Date of Decision: July 25, 2017

Mandeep Singh @ Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Himanshu Puri, Advocate,
for the petitioner.

Mr. V.G. Jauhar, Senior D.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No. 20, dated April 21, 2016, 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 Talwandi Chaudhrian, District Kapurthala.

The petitioner was originally arrested on April 21, 2016, but was subsequently granted interim bail by this Court about a month later. Thereafter, challan was submitted against him.

He did not appear before the learned trial Court, on account of

which warrant of arrest was issued against him. He surrendered before the learned Court below on March 14, 2017 and has been in detention thereafter.

The recovery effected from him was 60 grams of intoxicating powder (diphenoxylate hydrochloride), which is marginally higher than the commercial quantity.

Considering the detention undergone by the petitioner, this Court is inclined to go with the decisions of the two Coordinate Benches of this Court in CRM-M No. 41266 of 2016 and CRM-M No. 27365 of 2016 on November 23, 2016 and March 14, 2017, respectively, in which identical quantity of contraband was allegedly seized from the concerned petitioners.

For the aforesaid reasons, the petitioner, namely Mandeep Singh @ Sonu son of Avtar Singh, is directed to be released on regular bail subject to the appropriate terms and conditions to the satisfaction of the learned trial Court.

July 25, 2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No