

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

**CRM-M No.15408 of 2017
Date of decision: 09.05.2017**

Rajinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Gulshan Sharma, Advocate
for the petitioner.

Mr. R.S. Nain, AAG, Punjab assisted by
Mr. Satpal, ASI.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.20 dated 17.01.2015, registered under Sections 15, 18, 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station City Ferozepur, District, Ferozepur.

It is contended that recovery of NDPS substance i.e. 300 grams of Alprazolam was not recovered from the conscious possession of the petitioner. This recovery was effected in pursuance of the secret information from the house of the petitioner which is not in exclusive possession of the petitioner. The petitioner is 19 years of age who was admitted to interim bail awaiting the receipt of

the FSL report. The petitioner did not misuse the concession of bail.

On the other hand, the learned State counsel opposes the prayer of bail.

I have heard learned counsel for the parties and perused the record.

Considering the fact that petitioner is not a previous convict and the recovery was not effected from the conscious possession; the FIR has been registered against all the seven persons including family members and relatives of the petitioner. The challan stands presented, however, the charge has not yet been framed; the conclusion of trial will take a long time, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

Anything said herein above shall not be construed as an expression of opinion of the Court on the merits of the case.

09.05.2017
Dinesh Bansal

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No