

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-17052 of 2017

Date of decision : May 18, 2017

Raja

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Deepankur Sharma, Advocate, for the petitioner
Mr. RS Randhawa, Addl. AG, Punjab for the respondent-State

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Raja in this regular bail application under section 439 Cr.P.C. are that on 20.12.2016, from the conscious possession of the petitioner while going on foot, 160 grams of heroin was recovered.

The contentions of the counsel for the petitioner are that the petitioner is in custody 20.12.2016 and the trial is not likely to be concluded in near future. The bail has been opposed by the learned State counsel on the ground that narcotic substance has been recovered from the petitioner.

Keeping in view the substantive period of incarceration and the fact that the trial is not likely to be concluded in near future and that the recovery effected from the petitioner falls under the category of non-commercial quantity, without adverting to the merits of the case, the instant

application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Amritsar.

The present petition stands disposed off accordingly.

The observations made herein above shall not be binding on the trial court at the time of trial as these are purely for the disposal of the present bail application.

May 18, 2017
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No