

251

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

CRM-M No.2485 of 2017

Date of Decision: 31.01.2017

HARDEEP SINGH @ DEEPA

.....Petitioner

Vs

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Ms. Rimplejeet Kaur, A.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.67 dated 05.06.2014, registered under Section 22/61/85 of the NDPS Act at Police Station Khalchian District Amritsar Rural.

The petitioner was granted interim bail by the Judge, Special Court, Amritsar on 23.04.2014 to await the report of Chemical Examiner.

The prosecution story started with the allegations that the petitioner was sitting on the right hand side of the road. On seeing the police party, he tried to run away. When he was about to throw the polythene bag, he was overpowered by the police. 20 intoxicant injections were recovered from the petitioner. Two injection were subjected to chemical analysis. Four vials of small bottles allegedly recovered were not sent for chemical analysis.

Learned counsel for the petitioner relied upon order dated 20.09.2016 passed in CRM No.23854 of 2016 in CRA-S No.145-SB of 2016 titled '*Baj Singh vs. State of Punjab*' and CRM-M No.40243 of 2016 titled '*Gagandeep vs. State of Punjab*' and contended that the entire bulk cannot be treated to be commercial quantity as only two injections were subjected to chemical analysis.

Petitioner is in custody since 07.11.2016 and has not misused the concession of interim bail granted to him on 23.07.2014.

At this stage, without embarking upon the merits of the case, 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 bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

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

January 31, 2017.

Atik

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No