

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

**CRM No.M-2549 of 2017 (O&M)
Date of Decision: 06.02.2017**

Jagjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. P.S. Sekhon, Advocate for the petitioner.
Ms. Harpreet K. Athwal, DAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.61, dated 12.08.2015, under Section 22 of the NDPS Act, registered at Police Station City Budhlada, District Mansa.

Counsel for the parties have been heard at length.

As per prosecution version, the alleged recovery effected from the petitioner is of 200 tablets of alprazolam. Such recovery would be construed as non-commercial.

Petitioner had been granted bail but had absented from the trial proceedings on 16.11.2016. Order dated 06.01.2017 passed by the learned Judge Special Court, Mansa at Annexure P-2 would reflect that the petitioner had thereafter surrendered in the Court on 12.12.2016.

Keeping in view the alleged recovery i.e. non-commercial in nature as also the fact that the petitioner had absented from the trial proceedings only on one solitary date i.e. on 16.11.2016 and thereafter having surrendered himself on 12.12.2016, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Mansa.

Disposed of.

06.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |