

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-26646 OF 2017 (O&M)
DECIDED ON : 31.07.2017

Shanker

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. H. S. Grewal, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.7 dated 19.08.2016 under Section 21/29 of NDPS Act registered at Police Station State Special Operation Cell, District Amritsar.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 260 gms of heroin was recovered from him which is marginally over the threshold of 250 gms of commercial quantity. He further contends that in similar circumstances, a co-ordinate Bench of this court in the case of **"Sukhpal Singh v. State of Punjab"** passed in **CRM No. M-6999 of 2016 dated 08.04.2016**, had granted regular bail to the petitioner therein from whom 260 gms of heroin was recovered and he had been in custody for about five and a half months.

Learned counsel further contends that petitioner had been in custody for over 11 months and 07 days and is not involved in any other case.

Learned State counsel has filed custody certificate which indicates that petitioner had been in custody for over 11 months and 07 days as on 29.07.2017 ever since the date of his arrest on 22.08.2016.

In view of the aforementioned facts and without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner Shanker is ordered to be released on bail on his furnishing bonds to the satisfaction of trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 31, 2017
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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable : | YES/NO |