

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

**CRM NO. M-33000 OF 2017
DECIDED ON : 15.11.2017**

Nirmal Singh @ Nimma

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Deepak Aggarwal, Advocate,
for the petitioner.

Mr. Sandeep Vermani, Addl. AG. Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.54 dated 11.04.2015 under Section 22 of NDPS Act, registered at Police Station Sangat, District Bathinda.

Learned counsel for the petitioner contends that allegations against the petitioner are that 20 strips containing 100 tablets each of Microlit were recovered from the petitioner and upon chemical examination, it was found to contain 254 gms of Diphenoxylate, which is beyond the commercial quantity of 50 gms. He further contends that although 20 strips were recovered from the petitioner, but only one strip was sent for chemical examination and there is no mention in the challan about the manufacturing date and the batch number of the strips. He further contends that petitioner is in custody for over 02 years and 07 months since his arrest on 11.04.2015.

Learned State counsel, upon instructions from SI Surjit Singh, states that 01 out of 10 prosecution witnesses has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 02 years and 07 months, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner namely Nirmal Singh @ Nimma is ordered to be released on regular bail on his furnishing bonds to the satisfaction of trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

NOVEMBER 15, 2017

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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO