

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

**CRM-M-37298 of 2016 (O&M)
Date of Decision: January 11, 2017**

Mandeep Kumar @ Mani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Mohinder Singh Joshi, Advocate
for the petitioner.

Mr. J.S. Brar, AAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner Mandeep Kumar @ Mani is that he was running a Chemist shop under the name and style '*Sharma Medical Hall*' and it is alleged by the prosecution that on 16.2.2016 10 types of tablets in all numbering 4440 all covered under Scheduled-H of the NDPS, Act were recovered from him. Learned counsel for the petitioner contended that at the relevant time the petitioner was holding a legal and valid licence to sell Scheduled-H drugs. Though, on the last date of hearing there was some controversy but today learned State counsel on the instructions of ASI Dharam Singh, Police Station, Phul, District Bathinda states at the bar that from the report of the Drug Inspector and the records it is much in evidence that the petitioner at the relevant time when the alleged recovery alleged to have been seized was holding legal and valid licence to sell these drugs and, thus, no offence is committed.

Keeping in view the stand of the State and in view the

fact that the petitioner is in custody since long time and that the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court. However, this stand of the State before this court shall have no bearing on the merits of the case.

(FATEH DEEP SINGH)
JUDGE

January 11, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No