

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

CRM-M-37942 of 2016 (O&M)

Date of decision: 19.01.2017

Rajpal Singh @ Raja

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 99 dated 20.07.2016, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Gharinda, District Amritsar.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. Allegedly 40 gms of heroin has been recovered from the petitioner which is a non commercial quantity. The challan has been presented. The petitioner is not involved in any other FIR and he is in custody since 20.07.2016.

On the other hand, the learned State counsel opposes the

prayer of bail.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the recovery is non commercial in nature; petitioner is in custody since 20.07.2016; the challan stands presented, however, the charges are yet to be framed, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

19.01.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No