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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 38047 of 2017
Date of Decision: 25.10.2017

Mangat Ram @ Panju

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Liaqat Ali, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure seeking regular bail in case F.I.R. No. 26, dated 08.04.2017, registered under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Garhdiwala, District Hoshiarpur.

2. The petitioner has remained in detention for over six months now. Challan has already been submitted after completion of the investigation. It transpires that he is involved in another case under the Narcotic Drugs and Psychotropic Substances Act, 1985, being F.I.R. dated 15.01.2016 of Police Station Garhdiwala, in which the recovery from him

was of poppy husk to the tune of 1½ Kgs., which undoubtedly is close to small quantity. The contraband recovered from him in the present case is not very substantially above the commercial quantity.

3. There is no record of his involvement in any other case under the Narcotic Drugs and Psychotropic Substances Act, 1985, on account of which, rigors of Section 37 of the said Act would not appear to be attracted, considering that he is the sole charge-sheeted accused in the present case.

4. For these reasons, the present petition is allowed and the petitioner, namely Mangat Ram @ Panju son of Sham Lal, is directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Ld. Chief Judicial Magistrate concerned.

25.10.2017*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No