

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

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**CRM-M-39628-2017 (O&M)
Date of Decision: 04.12.2017.**

Gurnam Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. J.B.S Gill, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Ramendra Jain, J.(Oral)

CRM-38865-2017

Allowed, as prayed for.

CRM-M-39628-2017

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case F.I.R. No.109 dated 15.06.2017 registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), at Police Station City Rupnagar, District Rupnagar.

Learned counsel inter-alia contends that 40 kg poppy husk is alleged to have been recovered from the petitioner, which falls under the 'non commercial quantity'. In the earlier F.I.R. No.78 dated 24.09.2014 under Sections 15, 29, 61, 85 of the Act pertaining to Police Station Mukandpur, District S.B.S. Nagar, no recovery was effected from him,

rather the truck, in which the contraband was being carried, was owned by the petitioner and for that reason he was involved in that case. The petitioner is in custody since 15.06.2017 and no useful purpose would be served by detaining him any further in jail.

Considering over all facts and circumstances, but without commenting anything on the merits of the case, the petition is allowed and the petitioner is granted regular bail, during the trial, subject to his furnishing bail bond and surety bond to the satisfaction of the trial Court.

(RAMENDRA JAIN)
JUDGE

04.12.2017

jitender sharma

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