

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

CRM-M-42740 of 2017

Date of Decision: 21 November, 2017

Krishan Singh

..Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ajay Kamboj, Advocate
for Mr. Kamal Narulam, Advocate
for the petitioner.

Mr. N.k. Banka, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this regular bail application under Section 439 Cr.P.C are that on 14.08.2017 from the conscious possession of petitioner and his co-accused Sikander Singh @ Sikanderi, who were riding on motorcycle, 250 grams of heroin was recovered.

It is contended by learned counsel for the petitioner that the co-accused Sikander Singh @ Sikanderi has been allowed same relief by this Court vide order dated 13.10.2017 and in terms of Section 2(vii) of the NDPS Act the quantity falls under non-commercial quantity and that the petitioner is behind the bars since 14.8.2017 and the trial is not likely to be concluded in near future.

Learned State counsel though could not displace the factual scenario but has tried to oppose the grant of bail on the grounds of

heinousness of offence and seriousness of allegations.

Appreciating the submissions, keeping in view that non-commercial quantity of the contraband has been recovered and that the petitioner is behind the bars since 14.8.2017 for almost three months and keeping in view the principle of parity 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.

November 21, 2017
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(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No