

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-43378-2017

Date of decision: 21.11.2017

Davinder Singh @ Potta

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Munish Puri, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Davinder Singh @ Potta, has prayed for grant of regular bail in case FIR No. 60 dated 26.06.2017 registered under Section 21/22 of the NDPS Act at Police Station Shahpur Kandi, District Pathankot.
2. According to the prosecution, 320 tablets mark ALPRAZOLAM TABLETS IP-DYZOLAM 0.5, were recovered from the possession of the petitioner wrapped in a black coloured polythene.
3. Learned counsel *inter alia* contends that petitioner has falsely been implicated in the instant case. The petitioner is in custody since 26.06.2017. Conclusion of trial shall take sufficient time. No useful purpose would be served by detaining the petitioner behind the bars.
4. Learned State counsel submits that as per FSL report the total quantity of Alprazolam salt of 320 tablets recovered from the petitioner was found to be 63.4 grams which is less than the commercial quantity.

5. Considering the overall facts and circumstances of the case, but without expressing any opinion on the merits and also that conclusion of the trial may take time, the instant petition is allowed. Petitioner-Davinder Singh @ Potta, is ordered to be released on regular bail pending trial, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

November 21, 2017

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No