

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

CRM No. M-46104 of 2016 (O&M)

Date of Decision: 17.02.2017

Seema @ Babli

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ravinder Sharma, Advocate for the petitioner.

Ms. Shivali, AAG, Punjab.

TEJINDER SINGH DHINDSA.J

Petitioner seeks benefit of regular bail pending trial in case FIR No.108, dated 28.09.2015, under Sections 22/61/85 of the NDPS Act, registered at Police Station Amargarh, District Sangrur.

Counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner was of 55 grams of contraband.

As per report of the Chemical Examiner, the same was found to be containing diphenoxylate hydrochloride.

The same would be construed as marginally over and above the commercial quantity.

Petitioner has been in custody since 14.12.2016.

Learned State counsel would apprise the Court that the challan having been presented, trial is still at the very initial stage. It has also gone uncontroverted that the petitioner is not involved in any other case under the NDPS Act.

Without making any observations on merits, prayer made in the present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Sangrur.

Disposed of.

17.02.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |