

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

CRM-M-46525-2017
Date of decision: 12.12.2017

Partap Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Partap Singh, has prayed for grant of regular bail in case FIR No.19 dated 03.09.2017 registered under Sections 21/25/29 of NDPS Act at Police Station SSOC, District Amritsar (Annexure P-1).
2. According to the prosecution, on the basis of secret information, the petitioner was apprehended and 10 grams of heroin was recovered from his possession.
3. Learned counsel for the petitioner inter alia contends that the contraband recovered from the petitioner is 10 grams, which falls under the category of “non-commercial quantity”. The petitioner is in custody since 04.10.2017 and the conclusion of the trial would take long time. No useful purpose would be served by keeping the petitioner in custody anymore.
4. On the other hand, learned State counsel has vehemently opposed the bail to the petitioner submitting that the petitioner is a member of gang indulged in smuggling of narcotics.

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-Partap Singh, is ordered to be released on regular bail pending trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of Duty Magistrate/CJM, Amritsar.

12.12.2017
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(RAMENDRA JAIN)
JUDGE

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