

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

CRM-M No.6732 of 2017  
Date of Decision: 06.03.2017

RAKESH KUMAR

-PETITIONER

VS

STATE OF PUNJAB

-RESPONDENT

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. G.S. Verma, Advocate  
for the petitioner.

Mr. Shilesh Gupta, Additional A.G., Punjab.

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**RAJ MOHAN SINGH, J. (ORAL)**

Petitioner seeks regular bail in case bearing FIR No.10 dated 11.01.2017 under Sections 18/61/85 of the NDPS Act registered at Police Station Dugri, District Ludhiana.

As per prosecution case, 1 kg of opium was allegedly recovered from the petitioner when he was apprehended by the police on suspicion.

Learned counsel for the petitioner contended that the alleged recovery falls under non-commercial quantity and the petitioner is in custody since 11.01.2017.

Learned State counsel on instructions from ASI Dilbara Singh stated that FSL report is yet to be received in this case. The factum of recovery being non-commercial in nature has not been denied.

In view of aforesaid, without commenting upon merits of the case, I deem it appropriate to grant bail to the petitioner subject to his furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, Ludhiana.

Nothing expressed hereinabove would be construed to be an opinion on merits of the case.

06.03.2017

*jyoti Y.***(RAJ MOHAN SINGH)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No