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

CRM-M No.7223 of 2017
Date of Decision: 05.04.2017

AMARPREET SINGH @ PREET

.....PETITIONER

Vs

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Ms. Rimplejeet Kaur, A.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks regular bail under Section 439 Cr.P.C. in case bearing FIR No.177 dated 24.05.2014 under Section 22/61/85 of NDPS Act, registered at Police Station City Tarn Taran, District Tarn Taran.

100 gms. of intoxicating powder was allegedly recovered from the possession of the petitioner which was ultimately detected to be Diphenoxylate Hydrochloride. Diphenoxylate Hydrochloride is a manufacturing drug as per Government of India Notification No.SO 826 (E) 14.11.1985 and SO 40(E) dated 29.01.1993. Manufacturing drugs are punishable under Section 21 of the NDPS Act. The trial of the

case under Section 22 of the NDPS Act would be debatable at the time of trial.

Petitioner is in custody since 05.02.2016. Out of total eight prosecution witnesses, only one prosecution witness has been examined so far.

Learned counsel for the petitioner relies upon CRM-M No.43426 of 2015 titled **Kartar Singh vs State of Punjab** decided on 05.01.2016, CRM No.33873 of 2016 in CRA-S No.1614-SB-2014 titled **Deepak Kumar vs State of Punjab** & CRM No.9547 of 2016 in CRA-S No.4081-SB of 2014 titled **Kulwinder Singh vs State of Punjab**.

In view of above, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

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

April 05, 2017
jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

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