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

CRM-M No.8325 of 2017
Date of Decision: 05.04.2017

BHAJAN SINGH

.....PETITIONER

Vs

STATE OF PUNJAB

.....RESPONDENT

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

Present: Mr. Sahil Puri, Advocate
for the petitioner.

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

RAJ MOHAN SINGH, J.(Oral)

Petitioner is accused of offence under Section 22 of the NDPS Act.

260 gms. of intoxicating powder was allegedly recovered from the petitioner which on chemical analysis found to be Diacetylmorphine which is derivative of Heroine at Serial No.56 of the Schedule.

Petitioner was granted interim bail and the same was cancelled on receipt of Chemical Examiners Report. The contraband upto 250 gms. is non-commercial in nature.

Learned counsel for the petitioner contends that the alleged recovery is slightly more than the prescribed limit meant

for commercial quantity and he placed reliance upon **2003(3) RCR (Criminal) 198** Gurlal Singh vs State of Punjab, **CRM-M No.7311 of 2015** Baljinder Singh @ Bindi vs State of Punjab decided on 01.04.2015 and **2014(2) Law Herald 1052** Gurpreet Singh @ Gopi vs State of Punjab.

Learned State counsel on instructions from HC Lakhwinder Singh submits that out of total nine prosecution witnesses, one prosecution witness has been examined. Now, the next date is fixed for 11.04.2017 for remaining prosecution witnesses.

Petitioner is in custody for more than three months and while on interim bail, he has not mis-used the concession of bail.

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