

CRM-M- 10811-2018

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

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Date of Decision: 02.08.2018

Vishal Sahota

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ramesh Sharma, Advocate,
for the petitioner.

Mr. H.S.Grewal, Addl. A. G. Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Vishal Sahota has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.73 dated 20.04.2013, registered at Police Station Kapurthala City, District Kapurthala, under Section 21 of the NDPS Act, 1985.

Notice of motion was issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that 100 grams of heroin was recovered from the present petitioner which falls in non-commercial quantity.

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Learned State counsel also admits that the aforesaid recovery falls in non-commercial category. He also submits that the petitioner was earlier on bail, but absented himself from the court proceedings later on and was ultimately declared proclaimed offender.

Now, the petitioner is stated to be in custody since 10.11.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail; without expressing any opinion on the merits of the case and in view of the fact that recovery effected from the petitioner falls in non-commercial quantity, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

02.08.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No