

**Sr. No.220**

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

**CRM No. M-12415 of 2018 (O&M)**

**Date of Decision: 19.04.2018**

Sarabjit Singh @ Sonu

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr. Subhash Kumar, Advocate,  
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

**TEJINDER SINGH DHINDSA, J.(ORAL)**

Petitioner seeks regular bail pending trial in case FIR No.75 dated 13.08.2016, under Sections 22/61/85 of NDPS Act, registered at Police Station Subhanpur, District Kapurthala.

As per prosecution version, the alleged recovery effected from the petitioner is of 110 grams of intoxicant powder containing the salt of 'Alprazolam'.

Recovery is stated to have been effected from the petitioner would be construed as marginally over and above the non-commercial quantity.

Even though petitioner is stated to have been involved in another case under the NDPS Act but it has gone uncontroverted that the trial in that matter has already culminated and for the reason that the recovery in such matter was of a small quantity, petitioner was convicted and the period already spent in custody

was taken as the sentence undergone.

Investigation in the case is complete.

Trial is at the very initial stage and would take time to conclude.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

19.04.2018

vandana

(TEJINDER SINGH DHINDSA)  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes  
No