

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

CRM-M No.15598 of 2018 (O&M)

Date of Decision: 07.05.2018

Gurvinder Singh @ Vicky

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Prashant Vashisth, Advocate for the petitioner.

Mr. Harbir Sandhu, Assistant Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.210 dated 01.08.2017, registered under Sections 22/25/61/85 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered at Police Station Dakha, District Ludhiana.

It is contended by learned Counsel for the petitioner that the recovery in this case is alleged to have been 900 loose tablets and that comes to 57.06 grams, which is marginally higher than the commercial quantity. It is also argued that the charges were framed on 19.03.2018 and out of total 10 prosecution witnesses, none has been examined. It is also the case of the petitioner that there is no other case pending against him under the provisions of NDPS Act.

Learned State Counsel has produced the Custody Certificate of the petitioner. The same is taken on record. Copy supplied to the opposite side.

The above factual position is not disputed by learned State Counsel, on instructions from ASI Jagdish Singh, P.S. Dakha.

In view of the facts that the recovery is marginally higher than the commercial; there is no other case pending against the petitioner under the provisions of the NDPS Act; none of the prosecution witnesses has been examined till date and trial of the case will take long time, no useful purpose would be served by keeping the petitioner behind the bars and thus, it would be just and appropriate if the concession of bail is granted to the petitioner. Therefore, this petition is accepted and petitioner-Gurvinder Singh @ Vicky is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court.

May 07, 2018
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes