

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

(227)

CRM-M No.15654 of 2018

Date of Decision: November 15, 2018

Rishav Khadyal @ Rohan

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Ms. Arti Kaur, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

DAYA CHAUDHARY, J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to petitioner- Rishav Khadyal @ Rohan in case FIR No.127 dated 12.10.2017 under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short the 'NDPS Act') registered at Police Station Sadar, Nawanshaher, District SBS Nagar.

Learned counsel for the petitioner submits that the alleged recovery is marginally more than the commercial quantity and there is no other case of NDPS Act pending against the petitioner. All the prosecution witnesses are official witnesses and there is no possibility that petitioner may influence them or tamper with the evidence. Petitioner is in custody since 12.10.2017.

Learned State counsel has not disputed the custody period undergone by the petitioner but opposed grant of bail to the petitioner.

Keeping in view the submissions made by learned counsel for the petitioner and the fact that the recovery is marginally more than the

commercial; petitioner is in custody for more than one year; there is no other case of NDPS Act pending against him; all prosecution witnesses are official witnesses and there is no possibility that petitioner may influence them or tamper with the evidence, the petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

November 15, 2018
harsha

(DAYA CHAUDHARY)
JUDGE

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