

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

CRM M-2056 of 2018

Date of decision : 07.02.2018

Sukhmander Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 439 of the Code of Criminal Procedure seeking regular bail in a case registered against the petitioner vide FIR No. 94 dated 26.10.2017 under sections 22, 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter to be referred as 'the Act') at Police Station Sadar Budhlada, District Mansa. Learned counsel for the petitioner contends that 800 tablets of Digifresh containing Alprazolam salt weighing 116.17 grams are recovered from the possession of petitioner, which is marginally higher than the commercial quantity. According to him, petitioner is in custody since 26.10.2017. He, thus, deserves to be enlarged on bail. Learned State counsel has opposed the prayer for bail.

Keeping in view the aforesaid contentions and the fact that recovery effected from the petitioner is marginally higher than the commercial quantity, I am of the considered view that petitioner deserves to be enlarged on bail. Without expressing any opinion on the merits of the

case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, the petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of trial court.

February 07, 2018
Ajay

(RAJAN GUPTA)
JUDGE

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