

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

CRM-M No.21517 of 2018
DATE OF DECISION:23.08.2018

Joga Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Lokesh Vohra, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.0046, dated 15.02.2018, registered under Sections 21/61/85 of NDPS Act at Police Station Sadar Ferozpur, District Ferozpur.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the case whereas he was not involved. Initially the FSL report was not received and incomplete challan was presented. Petitioner is in custody since 15.02.2018. Subsequently FSL report has been received. The alleged recovery is 50 grams of heroine. No other case of NDPS Act and under any other offence is pending against the petitioner.

Learned State counsel has not disputed the custody period as well as the fact that there is no other case pending against him. Custody certificate filed by learned State counsel today in Court is taken on record in which there is no mention of any other case.

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By considering the custody period and the fact that the recovery is non-commercial; no other case is pending against him and that no useful purpose would be served by keeping the petitioner behind the bars, the petition is allowed. The petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

23.08.2018
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(DAYA CHAUDHARY)
JUDGE

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