

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-2565-2018

Date of Decision: April 30, 2018

Zakir Hussain @ Babbu Khan

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Munish Gulati, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Sudhir Mittal, J. (Oral)

The petitioner-Zakir Hussain @ Babbu Khan son of Balladin, seeks grant of regular bail in case FIR No.3, dated 07.01.2016, under sections 22 of NDPS Act, 1985, registered at Police Station Ghal Khurd, District Ferozepur.

2. Learned counsel for the petitioner states that 1050 tablets of *Alprazolam* were allegedly recovered from the petitioner. The petitioner has been in custody since 05.09.2017 and investigation is complete. He does not have any criminal antecedents and therefore, he deserves to be granted regular bail.

3. Learned State counsel submits that as per the FSL report, 126 grams of *Alprazolam* have been recovered from the petitioner and the same is commercial quantity and therefore, the petitioner does not deserve to be released on regular bail. However, he does not dispute the fact that the petitioner has no other criminal case

pending against him and that the investigation is complete.

4. Keeping in view all the facts and circumstances of this case as well as the fact that the petitioner has been in custody since 05.09.2017 and that the alleged recovered quantity from him is marginally more than the commercial quantity prescribed in the Appendix under the NDPS Act, 1985, I deem it just and appropriate to release the petitioner on regular bail.

5. Thus, the petition is allowed. Petitioner-Zakir Hussain @ Babbu Khan son of Balladin, is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court concerned at Ferozepur.

April 30, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No