

S.No.216

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

CRM-M-26975 of 2018 (O&M)

Date of Decision:27.09.2018

Chetan Rana

.....Petitioner

Vs.

State of U.T., Chandigarh Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. L.S. Mann, Advocate
 for the petitioner.

 Mr. Karan Pathak, Advocate
 for UT., Chandigarh.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.47 dated 01.03.2018 registered under Section 22 of NDPS Act at Police Station Maloya, District Chandigarh.

Counsel for the petitioner contends that even if the case of the prosecution is accepted as it is, then also, the recovery of the designated psychotropic substance from the petitioner is less than commercial quantity. Counsel has relied upon judgment of this Court rendered in **CRM-M-35080 of 2018 – Rajvir Singh @ Raju v. State of Punjab** decided on 21.08.2018, to support his contention. It is further contended that the petitioner is in custody since 04.03.2018. Challan has already been filed. The petitioner is not required for any investigation purposes. The trial is likely to take long time. It is further contended that there is no other case against the petitioner.

On the other hand, learned counsel for the UT Administration, submits that the heavy quantity of injections of Pheniramine Meleate and Buprenorphine have been recovered from the petitioner. However, it is not disputed that the petitioner is in custody since 04.03.2018 and that the challan has been filed.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioner be released on bail pending trial on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

September 27, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No