

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.210

CRM-M-27043-2018

Date of decision : 20.09.2018

Rinkal Kumar

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Yashpal Thakur, Advocate, for the petitioner.

Mr. J.S. Walia, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.38 dated 03.04.2018, registered at Police Station G.R.P Sirhind, District Fatehgarh Sahib, under Section 22 of NDPS Act, 1985.

Learned counsel for the petitioner submits that twenty five injections of Buprenorphine each of 2 ml. have been recovered from the petitioner. Whether the said quantity is commercial or not, is debatable. The petitioner has been in custody since 03.04.2018 and the investigation is complete. There is no criminal case pending or decided against the petitioner and thus, the petitioner may be granted regular bail.

Learned State counsel opposes the prayer for regular bail on the ground that the contraband recovered from the petitioner is commercial quantity.

It is not in dispute that there is no other criminal case pending or decided against the petitioner. It is also not in dispute that no prosecution witness has been examined till date. It is debatable whether twenty five injections of 2 ml. each of Buprenorphine constitute commercial quantity.

Keeping in view the facts of this case, I deem it

appropriate to allow this petition. Accordingly, the petition is allowed and

the petitioner, namely, Rinkal Kumar, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

20.09.2018
Ramandeep Singh

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes/ No