

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

**CRM-M-27689 of 2018
DATE OF DECISION:-31.10.2018**

VIJAY KUMAR

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Jashandeep Singh Sandhu, Advocate,
for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.32 dated 21.02.2018, registered under Section 21 of the NDPS Act, 1985 at Police Station Bhogpur, District Jalandhar (Rural).

According to the prosecution, the petitioner is indulged in selling of heroin. On 21.02.2018, the petitioner was apprehended by the police and on search, he was found in possession of 270 gms of heroin.

Learned counsel for the petitioner contends that the petitioner is in custody since 21.02.2018. The alleged quantity of narcotics substance i.e. heroin was marginally higher to the commercial quantity. Framing of charge and conclusion of trial may take a sufficient long time. No recovery has to be effected from the petitioner. Therefore, no

useful purpose would be served by detaining the petitioner in jail any more during trial.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

31.10.2018

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned: **Yes/No**

whether reportable: **Yes/No**