

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

212

CRM-M-27770-2018 (O&M)  
Date of Decision: 17.09.2018

TARSEM SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL.

Present:- Mr. Jatinderpal Singh, Advocate,  
for the petitioner.

Mr. J.S. Walia, Sr. DAG, Punjab.  
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SUDHIR MITTAL, J. (Oral)

Petitioner seeks regular bail in case FIR no.43 dated 09.04.2018, registered at Police Station Lambi, District Sri Muktsar Sahib, under Section 15 of the NDPS Act, 1985.

2 Learned counsel for the petitioner submits that non commercial quantity of 08 kilograms of poppy husk was recovered from the petitioner. He has been in custody since 09.04.2018. The investigation in this case is complete and thus, the petitioner be released on regular bail.

3 Learned State counsel submits that there are three other cases in which the petitioner has been convicted under the NDPS Act, 1985 and thus, the petitioner does not deserve the concession of regular bail.

4 The above submission is controverted by learned counsel for the petitioner by submitting that in all three cases small quantities of poppy husk, were recovered from the petitioner. In one case, he was sentenced to the period already undergone, in another case he was sentenced for a period of two months and in the third case also he was sentenced to the period

undergone.

5           It appears that the petitioner is an addict and is not involved in smuggling of drugs. However, without commenting upon the merits of the case and keeping in view the fact that the petitioner has been in custody since 09.04.2018 and the trial is not likely to be concluded at an early date, I deem it appropriate to release the petitioner on regular bail.

6           Accordingly, petition is allowed and the petitioner-Tarsem Singh 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

September 17, 2018  
*jyoti3*

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |