

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-31130-2018

Date of Decision:25.10.2018

Dilbag Singh @ Kaju @ Fulli

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. J.S. Thind, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.118 dated 22.04.2018 under Section 22/61/85 of the NDPS Act, registered at Police Station A-Divison, Amritsar.

Learned counsel for the petitioner states that the alleged recovery is 345 tablets, which came out Alprazolam in the FSL report and total weight of the contraband comes to about 40 grams. Thus, the recovery is non-commercial quantity. There is no other case against the petitioner. He is in custody since 22.04.2018.

Learned State Counsel on instructions from ASI Labh Singh does not dispute the custody period and the quantity so recovered. However, he states that though there is another case registered against the petitioner bearing FIR No.129 dated 25.11.2016 under Sections 21/22 of the

NDPS Act, Police Station Makbulpura, District Amritsar, but in that case, police has submitted the cancellation report.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 22.04.2018 and the recovered contraband is non-commercial quantity, coupled with the fact that trial in the case is likely to take a long time, I deem it appropriate to admit the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution would be at liberty to seek cancellation of his bail.

October 25, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No