

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

**CRM-M No. 31258 of 2018
Date of Decision: 31.7.2018**

Prem Singh

.....**Petitioner**

v.

State of Punjab

.....**Respondent**

CORAM HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. KBS Mann, Advocate, for the petitioner

Mr. K.S. Aulakh, DAG, Punjab

RAJBIR SEHRAWAT, J.

Present petition has been filed under Section 439 of the Cr.P.C. for seeking bail pending trial in the FIR No. 92 dated 4.9.2017, under Sections 22 and 61 of the NDPS Act, 1985, registered at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner is in custody since 4.9.2017 and the trial is not yet started. There is no other case against the petitioner. Learned counsel further submits that sampling has not been done by the Investigating Officer as per the requirement of NDPS Act and the notification issued thereunder.

On the other hand, learned State counsel, being assisted by SI Ramesh, submits that charge has already been framed in the case and the recovery is of commercial quantity. However, he does not dispute that the trial is yet to start. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting upon the merits of

the case, the present petition is allowed. It is ordered that the petitioner shall be released on bail pending trial, on his furnishing bond/sureties to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

31.7.2018

Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No