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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.3956 of 2018
Date of Decision: 16.02.2018

Ranjit Singh @ Raju

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

Ms. Rajni Gupta, Senior D.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner seek his release on regular bail in F.I.R. No.105, dated 17.07.2016, under Sections 22, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Division No.1, Jalandhar, Punjab.

2. The petitioner has remained in detention for almost eleven months now, as per the Custody Certificate filed by the State.

3. Ld. Counsel for the petitioner has drawn attention of the Court to the decision of a Division Bench of this Court in “**Saleem Mohd. Vs. State of Punjab**”, **2015(25) R.C.R.(Criminal) 816**, wherein it was observed, *inter alia*:-

“6. The petitioner relies upon Rule 66 of

the Narcotic Drugs and Psychotropic Substances Rules, 1985 to contend that even without any medical prescription, 100 doses of such like Psychotropic substance could be retained by him.

7. *Having heard learned counsel for the parties and taking into consideration the total custody period of the petitioner; his past antecedents and the legal submission based upon Rule 66 ibid but without expressing any final opinion in relation thereto, we are satisfied that no useful purpose shall be served by keeping the petitioner behind the bars and as such he deserves to be granted the concession of regular bail.”*

4. In the present case, the recovery allegedly made from the petitioner was of 30 vials of Bupernorphine, which in Para 9 of his application he claims to have been for his personal use. It further transpires that he is not involved in any other case under the Narcotic Drugs and Psychotropic Substances Act, 1985.

5. In this view of the matter and relying upon the aforesaid decision of the Division Bench, at this stage the present petition is allowed and the petitioner, namely Ranjit Singh @ Raju son of Mohinder Singh, is directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

16.02.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No