

Crl. Misc. No. M-39636 of 2018

Date of Decision: September 14, 2018

Amritpal Singh @ Babba

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. M.S. Kohli, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 136 dated 26.05.2018 under Section 21 of NDPS Act, 1985 registered at Police Station Division No. 8, District Police Commissionerate Jalandhar.

Learned counsel for the petitioner submits that the alleged recovery from the petitioner is of 205 grams of heroin, which is non-commercial quantity. The investigation is complete in this case but the trial may not be concluded at an early date and no useful purpose would be served by keeping the petitioner behind the bars during the pendency of the trial.

Learned State counsel submits that there is one more case pending against the petitioner under the NDPS Act, 1985 and, thus, the petitioner does not deserves the concession of regular bail.

The aforementioned argument of learned State counsel is rebutted by learned counsel for the petitioner by submitting that the petitioner has been acquitted in the said case.

Keeping in view the fact that non-commercial quantity of a narcotic substance has been allegedly recovered from the petitioner and that now the trial has

commenced but is not likely to be concluded at an early date and it would not be in the interest of justice to keep the petitioner in custody.

The petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

September 14, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No