

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-41810-2018

Date of Decision:13.12.2018

Lakhwinder Singh @ Lakha

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Ms. Satwant Mehta, Advocate for
Mr. Kanwar Pahul Singh, 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.57 dated 29.06.2018 under Section 22 of the NDPS Act, 1985 registered at Police Station Khilchian, District Amritsar Rural.

Learned counsel for the petitioner states that the recovered contraband is 600 tablets of Tramadol Hydrochloride and 100 tablets of Alprazolam. The total weight of 600 tablets of Tramadol Hydrochloride comes to 246.6 gms., which is non-commercial quantity. Similarly, weight of 100 tablets of Alprazolam comes to 12.1 gms., which is also non-commercial quantity. There is no other case against the petitioner and he is in custody since 29.06.2018.

Learned State Counsel has already filed the custody certificate

in this Court dt. 26.09.2018. He does not dispute the custody period and the quantity so recovered. He has argued that the FSL report in this case has been received and the same is positive. FSL report is taken on record.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 29.06.2018 and the recovered contraband is non-commercial quantity, coupled with the fact that there is no other case against him and trial in the case is likely to take long time, this Court deems 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 adequate 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.

December 13, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No