

Sr. No.268

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

**CRM-M-45087-2018
Date of decision:01.11.2018**

Sunny Singh @ Sunny

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Manish Kumar Singla, Advocate
for the petitioner.

Mr.Hittan Nehra, Addl.AG,Punjab

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.58 dated 31.07.2018 for the offences punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Mullepur, District Fatehgarh Sahib.

Learned counsel for the petitioner submits that the alleged recovery from the petitioner is only of 09 injections of Buprenorphine and other 09 injections of Avil. It is further contended that the injections of Avil do not contain any prohibited substances so far as the injections of Buprenorphine are concerned, the same are containing quantity of prohibited substance less than the commercial quantity. In support of his contention learned counsel for the petitioner has relied of the judgment of this Court rendered in ***CRM-M-35080-2018; Rajvir Singh @ Raju vs. State of Punjab*** decided on ***21.08.2018***. It is further contended by learned counsel for the petitioner that the petitioner is in custody since 31.07.2018. There is

no other case against the petitioner.

On the other hand learned State counsel, being instructed by ASI Harmesh Lal, does not dispute the fact that the injections of Avil do not contain any psychotropic substance. Recovery regarding the injections of Buprenorphine is also not disputed. State counsel has not controverted the fact regarding the custody of the petitioner and the fact that there is no case against the petitioner.

In view of the above, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

1st November, 2018

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*