

CRM-M-46459 of 2016

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

CRM-M-46459 of 2016
Date of Decision: 24.09.2018

Mohd. Irfan

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. G.N. Malik, Advocate, for the petitioner.
Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Mohd. Irfan in a case arising from FIR No.218 dated 05.08.2017 registered under Sections 21, 22 of the Narcotic Drugs and Psychotropic Substances Act and Section 25 of the Arms Act at Police Station Samrala, District Ludhiana.

According to the prosecution, 255 grams of intoxicant powder was recovered from the conscious possession of the petitioner without any permit or licence.

Learned counsel *inter alia* contends petitioner is in custody for more than one year since 05.08.2017. Alleged recovery of 05 grams, which is marginally more than commercial quantity of 250 grams, may be the weight of polythene. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

CRM-M-46459 of 2016

On the other hand, learned State counsel vehemently opposed grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

September 24, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No