

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

Crl. Misc. No. M-47221 of 2017

Date of Decision: 13.03.2018

Gaurav Garg @ Bittu

.....Petitioner

vs.

State of Punjab

.....Respondent

BEFORE:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Jashandeep Singh Sindhu, Advocate,
for the petitioner.

Mr. A.S.Gill, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.133 dated 24.6.2016 registered at Police Station, Dhuri, District Sangrur under Sections 21/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner contends that 2 grams of Heroin has been recovered from the petitioner apart from 80 grams of Dyphenoxylate Hydrochloride. The submission is that the Heroin allegedly recovered from the petitioner is of non-commercial quantity, whereas, the Dyphenoxylate Hydrochloride is marginally above the commercial quantity. The petitioner has been in custody since 29.9.2017; investigation is complete and the challan has already been presented in Court. Out of fourteen witnesses, only two witnesses have been examined.

Learned State Counsel is not in a position to dispute the aforementioned factual submissions of learned counsel for the petitioner.

Keeping in view the fact that the investigation is complete and that the completion of trial may take some time, no useful purpose would be served by keeping the petitioner in custody during the pendency of the trial.

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

March 13, 2018
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned : Yes

Whether referred to Reporters : No