

Sr. No.212

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

CRM No. M-47873 of 2017 (O&M)

Date of Decision: 09.02.2018

Binder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Nikhil Sharma, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.30 dated 05.04.2017, under Sections 15, 61, 85 of NDPS Act, registered at Police Station Khamanon, District Fatehgarh Sahib.

Counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner is of 32 kgs of poppy husk. Further more a recovery of 30 kgs poppy husk is stated to have been effected from co-accused, namely, Kuldeep Singh.

Petitioner was arrested on 05.04.2017. Investigation in the case is complete and even challan has been presented.

The alleged recovery from the petitioner would be construed as non-commercial in quantity.

It has gone uncontroverted that the petitioner is not

involved in any other case under the NDPS Act.

Trial is at the very initial stage and would take time to conclude.

In the considered view of this Court, no useful purpose will be served by keeping the petitioner in custody till the culmination of the trial.

Without making any observations on merits, petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Fatehgarh Sahib.

Disposed of.

09.02.2018
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No