

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

CRM-M-48172-2017 (O&M)

Date of decision:07.03.2018

Resham Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Naresh Kumar Ganga, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.78, dated 01.08.2017, under Section 21/22/61/85 of the NDPS Act, registered at Police Station Bahav Wala.

As per prosecution version, an alleged recovery of 260 grams of heroin was effected from the conscious possession of the petitioner.

Petitioner has been shown to be arrested in the present case on 01.08.2017.

Trial is still at the initial stage.

The alleged recovery effected from the petitioner would be construed as marginally over and above the non-commercial quantity.

Even though, prayer for regular bail was opposed by learned State counsel by stating that the petitioner is a habitual offender and is involved in yet another FIR under the NDPS Act wherein the alleged recovery of 9 kilograms of opium has been effected but it has been conceded that the petitioner in such matter has already been granted benefit

of bail.

Without making any observations on merit, petitioner is held entitled to the benefit of bail.

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

Disposed of.

07.03.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |