

Sr. No.215

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

CRM No. M-49255 of 2017 (O&M)

Date of Decision: 12.03.2018

Mahinder Singh @ Balli

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. F.S.Virk, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks concession of bail pending trial in case FIR No.100 dated 14.11.2016, under Section 18 of NDPS Act, registered at Police Station Koom Kalan, Ludhiana, District Ludhiana.

Counsel for the parties have been heard.

As per prosecution version, the alleged recovery that has been effected is of 02 kgs 800 grams of opium from a vehicle in which the present petitioner was a passenger.

Petitioner was neither the driver of the car and nor the owner of the vehicle.

Even though the alleged recovery from the petitioner is more than 2 kgs. 500 grams and as such would be construed as marginally over and above the non commercial quantity, this

Court is inclined to extend the concession of bail in view of the fact

that petitioner has already suffered incarceration since 14.11.2016 and he not being involved in any other case under the NDPS Act.

Without making any observations on merits, prayer made in the present petition is accepted.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Ludhiana.

Disposed of.

12.03.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No