

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

CRM M-5090 of 2018

Date of decision : 20.02.2018

Sandeep @ Khappa

...Petitioner

V/s

State of Punjab

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Chandan Singh Rana, Advocate for the petitioner.
Mr. C.L. Pawar, Sr. DAG Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 70 dated 02.04.2017 under sections 22/25/61/85 of the NDPS Act at Police Station Dakha, Ludhiana. Petitioner is stated to be incarcerated since 02.04.2017. Total recovery effected in the case is stated to be 250 grams of heroin. It is contended that a quantity above 250 grams would be considered commercial. Admittedly, challan has been presented but no witness has been examined.

Keeping in view the contentions made before this court and the period of incarceration, I am of the considered view that no useful purpose would be served by detaining the petitioner in custody any longer. Accordingly, petition is allowed and petitioner is directed to be enlarged on bail to the satisfaction of trial court subject to such terms and condition(s) as it may deem fit to impose.

February 20, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No