

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

CRM-M-5537-2018 (O&M)

Date of decision:05.04.2018

Kamal Narang

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. N.S. Sidhu, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case F.I.R. No.148, dated 07.10.2017, under Section 21/61/85 of the NDPS Act, registered at Police Station Morinda, District Roopnagar.

Counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 15 strips of Lomotil containing 60 tablets each was effected from the petitioner i.e. 900 tablets in total.

As per report of the FSL, the presence of Diphenoxilate Hydrochloride has been indicated.

The total recovery as such from the petitioner is of 54 grams of Diphenoxilate Hydrochloride.

The same would be construed as marginally over and above the non-commercial quantity.

Petitioner was arrested on 07.10.2017.

Investigation in the case is complete, challan has been

presented and even charges have been framed.

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

Even though the petitioner is stated to be involved in yet another case under the NDPS Act but counsel for the petitioner makes a categoric statement that the petitioner has already been granted concession of bail in such case.

Without making any observations on merits, present petition is allowed.

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

Petition disposed of.

05.04.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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