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

CRM-M No. 603-2018

Date of Decision: 15.03.2018

Baljinder Singh @ Bittu

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.94 dated 08.06.2017, registered under Section 22/61/85 of the NDPS Act at PS Mehatpur, Distt. Jalandhar.

On 09.02.2018, learned State counsel sought time to verify the juvenility of the petitioner. Today, reply has been filed admitting the factum of petitioner being a juvenile on the basis of school certificate. In terms of Section 12 of the Juvenile Justice Care and Protection Act 2015, the petitioner has indefeasible right to be released on bail unless and until, his case falls under the exceptions which may render his release to

be prejudicial to his own interest. 60 grams Diphenoxylate powder was allegedly recovered from the petitioner and the recovery was slightly more than the limit prescribed for commercial quantity.

At this stage, without adverting to the merits of the case, I deem it appropriate to release the petitioner to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 15, 2018

Harish Kumar

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No