

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

CRM-M-6121-2018 (O&M)

Date of decision:08.03.2018

Ravinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.61, dated 25.05.2015, under Section 22/61/85 of the NDPS Act, registered at Police Station Sadar Phagwara, District Kapurthala.

Counsel for the parties have been heard at length.

As per prosecution version, the alleged recovery effected from the present petitioner is of 70 grams of Diphenoxylate Hydrochloride.

Petitioner was initially arrested on 25.05.2015 and was granted interim bail on 30.06.2015 subject to furnishing the report of Chemical Examiner. Petitioner thereafter surrendered on 06.02.2017 upon receipt of the report of Chemical Examiner.

Petitioner is not stated to have misused the concession of interim bail.

Counsel would place reliance upon an order passed by a Coordinate Bench of this Court dated 17.12.2015, passed in CRM No. M-39534 of 2015, wherein in a case of alleged recovery of 84.7 grams of the

same very intoxicant powder i.e. Diphenoxylate Hydrochloride, benefit of bail had been granted.

It has gone uncontroverted that the petitioner is not involved in any other case under the N.D.P.S Act.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, concerned.

Disposed of.

08.03.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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