

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

Hemlata
2018.07.10 16:06
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CRM-M-7577-2018 (O&M)

Date of decision:10.07.2018

Virkaran Singh @ Chima

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition is for grant of bail pending trial to the petitioner in case FIR No. 88 dated 17.08.2017 under Sections 22, 61, 85 of NDPS Act, registered at Police Station Mehna, District Moga.

Learned counsel for the petitioner submits that although recovery of some intoxicant powder has been shown from the petitioner, however, the report of the Chemical Examiner shows that contraband quantity in powder was only 0.12 ml. grams. Learned counsel for the petitioner further submits that the petitioner is in custody since 17.08.2017 and no other case is pending against him.

Learned counsel for the State, on instructions from ASI Gulzar Singh, submits that although the Chemical Examiner report pointed out by the counsel for the petitioner cannot be disputed, however, the recovered quantity is about 245 grams. It is also not disputed that there is no other case pending against the petitioner.

Without expressing any opinion on the merits of the case, considering the facts that the petitioner is in judicial custody since 17.08.2017

and the conclusion of the trial is likely to take some time, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

10.07.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No