

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-8485-2018

Date of decision: 05.04.2018

Gurmukh Singh @ Sukha

.... Petitioner

V/s

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sandeep Verma, Advocate, for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

Rajan Gupta, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. seeking regular bail to the petitioner in a case FIR No.30 dated 30.04.2017 under Section 18/61/85 of NDPS Act, registered at Police Station Ghanaur, District Patiala.

Learned State counsel submits that recovery of 2 Kg. 600 Grams of opium has been effected from the petitioner.

Stand of learned counsel for the petitioner is that since the opium was in polythene bag, if weight thereof is taken into consideration, quantity of opium would be marginally higher than the commercial quantity. Petitioner is in custody since 30.04.2017.

Keeping in view the fact that quantity of contraband recovered from the petitioner is marginally higher than the commercial quantity, period of his incarceration and the fact that trial may take long time to conclude, no useful purpose would be served by detaining the petitioner. Accordingly, petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Patiala.

(RAJAN GUPTA)
JUDGE

April 05, 2018
sukhpreet

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