

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9060-2018

Date of decision: 20.04.2018

Rohit @ Honey

.... Petitioner

V/s

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Himanshu Puri, Advocate, for the petitioner.

Mr. A.A. Pathak, Addl.A.G., 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.216 dated 17.10.2017 under Sections 22/61/85 of NDPS Act, registered at Police Station Maqsudan, District Jalandhar.

Stand of the petitioner is that recovery effected is 1000 loose tablets and 100 tablets of Alprozolam containing the sale Diphenoxylate. Learned counsel submits that quantity of Diphenoxylate is 60 Grams, which is marginally higher than commercial quantity. He is incarcerated since 17.10.2017. Prosecution has not examined any witness till now.

Keeping in view facts and circumstances of the case and contention that quantity of Diphenoxylate, recovered from the petitioner, is marginally higher than commercial quantity, no useful purpose would be served by detaining the petitioner any longer. Accordingly, petition is allowed. Petitioner is directed to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

(RAJAN GUPTA)
JUDGE

April 20, 2018
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No