

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

CRM M-946 of 2018

Date of decision : 07.02.2018

Jaspal Singh @ Major Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. J.S. Sandhu, Advocate for the petitioner.

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

RAJAN GUPTA J.

This is a petition filed under Section 439 of the Code of Criminal Procedure seeking regular bail in a case registered against the petitioner vide FIR No. 107 dated 22.07.2017 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter to be referred as 'the Act') at Police Station Bhogpur, District Jalandhar Rural Punjab. Learned counsel for the petitioner contends that petitioner is in custody since 22.07.2017. He submits that 57 kgs of poppy husk is recovered from the petitioner which is marginally higher than the commercial quantity. He is thus entitled to concession of bail. Learned State counsel has opposed the prayer for bail.

Keeping in view the fact that petitioner is accused of being in possession of 57 kgs of poppy husk which is marginally higher than the commercial quantity, I am of the considered view that petitioner deserves to be enlarged on bail. Without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of trial court.

February 07, 2018
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No