

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

**CRM-M-542 of 2019
DATE OF DECISION:-15.01.2019**

TARA SINGH @ TARI

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

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

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.99 dated 10.11.2017, registered under Section 22 of the NDPS Act, 1985 at Police Station Fatehgarh Panjtoor, District Moga.

According to the prosecution, on 10.11.2017 petitioner was apprehended and on search, 110 grams of intoxicant powder rapped in two polythenes was recovered from him.

Learned counsel contends that the petitioner has falsely been implicated in the instant case. The alleged recovery is marginally above the commercial quantity and if the weight of the polythene is deducted from the alleged recovery, the case of the petitioner may fall under the

"non commercial" quantity. The petitioner is in custody since 10.11.2017, except for one month, for which, he was released on interim bail on account of death of his father. Conclusion of trial may take a sufficient long time. Therefore, no useful purpose would be served by detaining the petitioner in jail any more during trial.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

15.01.2019
sonika

(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No