

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

211

CRM-M-16962 of 2019 (O&M)  
Date of decision: 19.08.2019

Lakhveer Singh @ Lakhi

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Surinder Garg, Advocate  
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl. AG, Punjab.

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**ANIL KSHETARPAL, J. (ORAL)**

Prayer in the petition is to grant regular bail in FIR No.124 dated 18.06.2018 under Sections 22 and 25 of the Narcotic Drgus and Psychotropic Substances Act, 1985, Police Station Sangat, District Bathinda.

According to the prosecution, 1600 tablets of Tredol-100 were recovered from the possession of Gurinder Singh whereas the petitioner is alleged to have run away.

Learned counsel for the petitioner has pointed out that in CRM-M-47009 of 2018, Gurinder Singh from whom the entire recovery of the narcotics was made, has been granted concession of regular bail. It has been brought to the notice of this Court that the total weight mentioned by the Hon'ble Judge in the aforesaid order is correct, however, the quantity recovered does not fall in the category of non-commercial but in the

category of commercial as it is above 250 grams.

However, learned counsel has submitted that the petitioner was released on interim bail waiting for the report of the Forensic Science Laboratory. The petitioner after receipt of the report surrendered before the Court on 16.03.2019. The investigations have been completed. Challan has been presented and the charges have been framed. The petitioner is not involved in any other case under NDPS Act.

Learned counsel for the State has submitted that the petitioner is not entitled to be released on bail as the petitioner is involved in recovery of narcotic, which falls in a commercial quantity and the motor-cycle in question on which they were also travelling belongs to the petitioner.

In the present case, the recovery of narcotics was not from the petitioner but from the co-accused i.e. 256 grams which is marginally higher than the quantity from where the commercial category starts.

Without commenting on the merits of the case and keeping in view the fact that the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate personal/surety bonds to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

Accordingly, the present petition is allowed.

**19.08.2019**

D.Bansal

**( ANIL KSHETARPAL )  
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No