

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

208

**CRM-M No.45677 of 2018.
Date of Decision: 17.01.2019.**

Kuldip Kumar alias Ghipa

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Surinder Mohan Sharma, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.158 dated 21.12.2017 under Section 22 of the N.D.P.S. Act, 1985, registered at Police Station Mahilpur, District Hoshiarpur.

Learned counsel representing the petitioner contended that the petitioner has been falsely implicated in this case for the alleged recovery of 12 Buprenorphine injections and 12 vials scaled marked Avil and the total quantity of ingredients is 12 ml which is below the commercial quantity. The petitioner is in custody since 21.12.2017 and he is not involved in any other case under the N.D.P.S. Act, decision of the case still to take some more time, so he be released on bail.

Learned State counsel, on instructions from ASI Harbhajan, has

not involved in any other case under N.D.P.S. Act and the recovery being non commercial quantity.

Taking into consideration all these facts and the fact that the petitioner is in custody since 21.12.2017 and the alleged recovery is of non commercial quantity, decision of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. The petitioner is ordered to be admitted on regular bail on furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

17.01.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No