

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

103+232

CRM-M-47907-2018 (O&M)

Date of decision : 26.11.2019

Jaswant Singh @ Sher Singh @ Shera

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sandeep S. Majithia, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.124 dated 02.06.2018, under Section 22 of the NDPS Act, registered at Police Station Chheharta, District Amritsar.

Learned counsel for the petitioner contends that the allegations in the FIR against the petitioner are that 1200 tablets of alprazolam with a total weight of 165.6 grams were recovered from him which is above the threshold of commercial quantity. He also contends that the petitioner is in custody for about one year and six months and earlier he was involved in another case under the NDPS Act in which he has been acquitted by the trial Court. He has referred to the judgment of the trial Court in this regard which is at Annexure P-8. He has also relied upon the judgment of this Court in the case of **Gagandeep Singh @ Gagan Vs. State of Punjab** in CRM-M-29059-2018 decided on 14.11.2018 wherein recovery of Alprazolam was about 200 grams and the petitioner therein had been granted regular bail after 1 year and 4 months.

Learned State counsel, upon instructions from ASI Kanwaljit Singh, states that 01 out of 12 prosecution witness has been examined and the petitioner is in custody for one year, 05 months and 24 days.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for about one year and six months, he is not involved in any other case under the NDPS Act at present, the judgement of this Court and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 26, 2019

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Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No