

Sr. No.221

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

CRM-M-51789-2018

Date of decision:14.02.2019

Sonu Singh

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Gurinder Singh Hayer, Advocate
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.250, dated 30.12.2017 for the offence punishable under Section 22 of NDPS Act, registered at Police Station City Moga, District Moga.

Learned counsel for the petitioner submits that the case against the petitioner is falsely created by the Police. However, even as per the case of the Police, the alleged recovery from the petitioner is 100 grams of powder containing the prohibited substance Alprazolam. In the entire recovery the quantity of the prohibited substance is less than the commercial quantity. It is further submitted that against the petitioner there are no other cases under NDPS Act. The petitioner is in custody since 30.12.2017. Therefore, the petitioner is no more required for any investigation purposes.

On the other hand, learned State counsel being instructed by SI Rajinder Singh, submits that there is huge recovery of 100 grams of prohibited substance from the petitioner. However, it is not disputed that recovery from the petitioner is less than the commercial quantity prescribed

for the substance.

In view of the submissions made by learned counsel for the petitioner, but without commenting upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

14th February, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*