

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

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**CRM-M-52002-2018
DATE OF DECISION: 12.07.2019**

SUBHASH CHANDER

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. K.B. Raheja, Advocate for the petitioner(s).

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.58 dated 03.03.2018, under Sections 392, 482 and 411 IPC and Section 22 of the NDPS Act, 1985 (hereinafter referred to as 'the Act'), registered at Police Station Nakodar, District Jalandhar (Rural).

Learned counsel for the petitioner contends that 110 grams of Alprazolam has been recovered from a polythene bag from the pocket of the petitioner. He also contends that if the weight of the bag is excluded, it is possible that the recovery would fall below the commercial quantity. The co-accused Himmat Singh @ Sonu, from whom 105 grams of Alprazolam was recovered, had been granted regular bail by a coordinate Bench of this Court in CRM-M-12977-2019 on 27.03.2019 when he had undergone about 1 year in custody. The petitioner is in custody since 03.03.2018 and the conclusion of the trial is likely to take some time. Learned counsel also contends that the petitioner is not involved in any other case under the Act. He has also relied

upon the judgment of this Court in the case of **Rajbir Singh @ Raju Vs. State of Punjab.**

Learned State counsel, upon instructions from ASI Sukhjit Singh, states that 1 out of 18 prosecution witnesses has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the co-accused had been granted regular bail, the petitioner is in custody for 1 year and 4 months 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 instant 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.

12.07.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No