

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

**CRM-M-53804 of 2018
DATE OF DECISION:-23.01.2019**

GURNAM SINGH

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Ms. Veerpal Kaur, Advocate,
for the petitioner.

Mr. A.S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Affidavit of Mr. Bhupinder Singh, Deputy Superintendent of Police, Sub Division Malout, District Sri Muktsar Sahib has been filed on behalf of respondent-State. The same is taken on record. Be tagged at appropriate place.

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.151 dated 01.10.2018, registered under Section 15 of the NDPS Act, 1985 at Police Station Kabarwala, District Sri Muktsar Sahib.

According to the prosecution, petitioner was apprehended in conscious possession of 10 kg of poppy husk.

Learned counsel contends that recovery of 10 Kg of poppy husk effected from the petitioner falls under 'non-commercial' quantity. No recovery is to be effected from the petitioner. The petitioner is in custody since 01.10.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more during trial.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

23.01.2019

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(RAMENDRA JAIN)
JUDGE**whether speaking/reasoned:****Yes/No****whether reportable:****Yes/No**