

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

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Criminal Misc. No.M-26849 of 2019

Date of decision : 21.08.2019

Gurwinder Singh @ Guri

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Gurpreet Singh Sandhu, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.248 dated 11.11.2018 under Sections 15/25 of the NDPS Act, registered at Police Station Sangat, District Bathinda.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 55 kgs. of poppy husk was recovered from him which is marginally above the threshold of 50 kgs. as commercial quantity. He also contends that the petitioner is 25 years of age and is not involved in any other case of NDPS Act. The petitioner is in custody for more than nine months.

Learned State counsel, upon instructions from ASI Kashmir Singh, states that one out of twenty prosecution witnesses has been examined. Learned State counsel has also filed custody certificate of the petitioner which indicates that he is in custody for nine months and five days as on 20.08.2019 and is not involved in any other similar case.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the recovery of poppy husk effected from the petitioner is marginally higher than the commercial quantity, the petitioner is 25 years of age, he is in custody for over nine months and 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.

(ANUPINDER SINGH GREWAL)
JUDGE

August 21, 2019
sonia gugnani

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