

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41892-2019(O&M)
Date of decision: 13.11.2019

Sunny Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.G.S.Salana, Advocate for the petitioner

Mr. Hittan Nehra, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of bail pending trial in a criminal case arising from FIR No. 32 dated 14.3.2019 registered under Section 22 of the NDPS Act at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

As per the case of the prosecution, petitioner was found in conscious possession of 14 vials of Buprenorphine intoxicant injections. Petitioner is in custody for approximately 8-9 months.

Investigations are complete. Police report as required under Section 173 Cr.P.C has already been filed. Learned State counsel on instructions from ASI Baljinder Singh has submitted that petitioner is not involved in any other case under NDPS Act. Conclusion of the trial is likely to take time.

Question whether neutral substance is to be taken into consideration while calculating prohibited substance is pending consideration before the larger Bench of the Hon'ble Supreme Court in case

titled as 'Hira Singh and another vs. UOI and another' reported as 2017(8) SCC 162.

Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Petition stands allowed.

13.11. 2019	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No