

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

207

**CRM-M-42717-2019(O&M)
Date of decision : 06.12.2019**

Harwinder Singh @ Guli

.....Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Yashpal Thakur, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail pending trial in a criminal case arising out from FIR No.164, dated 07.08.2019, registered under Section 22 of the NDPS Act, 1985, at Police Station Mandi Gobindgarh, Tehsil and District Fatehgarh Sahib, Punjab.

As per the case of the prosecution, 800 tablets of Alprazolam were recovered from the Raj Kumar Jindal, a co-accused, whereas petitioner was found in conscious possession of 300 tablets of Alprazolam. He is owner and driver of the motorcycle on which the accused were travelling.

As per the report of the Forensic Science Laboratory, correctness whereof is not disputed by learned counsel for the State, the recovery from the petitioner does not fall under commercial category even if the entire weight of tablets recovered is taken into consideration.

Learned State counsel, on instructions from SI Kuldeep Singh, has submitted that the petitioner is not involved in any other case under the NDPS Act. Petitioner is in custody since 07.08.2019. It is almost 4 months.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 07.08.2019 and the trial of the case is likely to take long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

December 06, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No