

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

213

CRM-M-43408-2019(O&M)

Date of decision :01.11.2019

GURPREET SINGH @ GOPI

.....Petitioner

versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. K.S. Brar, Advocate,
for the petitioner

Mr. SPS Tinna, Addl. A.G., Punjab

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail in FIR No.53, dated 01.06.2019, registered under Section 22 of the NDPS Act, 1985, at Police Station Bassi Pathana, District Fatehgarh Sahib.

As per the allegations of the prosecution, 13 ampules (injection of Buprenorphine) 2 ML each were recovered from the petitioner, whereas 12 ampules (injection of Buprenorphine) 2 ML each were recovered from the conscious possession of Sukhpreet Singh, co-accused.

The appellant is in custody for almost 5 months. Report from FSL has been received. He is not involved in any other criminal case. It is debatable as to whether the quantity would fall within commercial or not as this matter is pending adjudication before the larger Bench of the Hon'ble Supreme court in the case of **Hira Singh and another vs. Union of India and another, (2017) 8 SCC 162.**

Keeping in view the facts of the case and without commenting on the merits of the case, the petitioner is in custody for almost 5 months and the conclusion of the trial 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.

November 01, 2019
nt

(ANIL KSHETARPAL)
JUDGE

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