

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

CRM-M-43486-2019(O&M)

Date of decision: 28.11.2019

Sukhdev Singh @ Debi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Digvijay Nagpal, Advocate for the petitioner

Mr. Hittan Nehra, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for bail pending trial in a criminal case arising from FIR No.36 dated 4.3.2019 registered under Sections 22, 25, 29, 61 and 85 of NDPS Act at Police Station, City-I, Mansa, District Mansa.

As per the case of the prosecution, petitioner was found in conscious possession of 18 vials of Onerex weighing 100 ml each containing "Codeine Phosphate". He was also found in possession of 180 strips of Carisoma tablets. It has been noticed by the Special Court, Mansa that tablets Carisoma does not contain any prohibited drug and therefore, it does not fall in the schedule of NDPS.

Thus, the prohibited substance which has been recovered from the petitioner is Codeine Phosphate found in 18 bottles of Onerex cough syrup.

Petitioner is in custody since 4.3.2019. As per the information supplied by the learned State counsel on instructions from

ASI Gurmail Singh, petitioner is not involved in any other case under the NDPS Act.

Without commenting on the merits of the case and keeping in view the facts and circumstances of the present case, particularly, the alleged recovery from the petitioner, as also noticing the fact that conclusion of trial is likely to take some time, 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.

28.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No