

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45762 of 2019

Date of Decision: November 04, 2019.

Sukhpreet Singh @ Sukh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: None for the petitioner.

SI Kuldip Singh.

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Anil Kshetarpal, J. (Oral)

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

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

The petitioner 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 versus Union of India and another, (2017) 8 SCC 162.**

Without commenting upon the merits of the case and after keeping in view the facts and circumstances of the case, it would be appropriate to direct the petitioner to be released on regular bail.

Accordingly, the petitioner is directed to be released on regular bail subject to his furnishing adequate surety bonds to the satisfaction of the trial Court/

Duty Magistrate.

Accordingly, the petition is allowed with the aforesaid directions.

November 04, 2019

mohinder

(ANIL KSHETARPAL)

JUDGE

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