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

**CRM-M-45504-2019
Date of decision-01.11.2019**

Andhin Paswan

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Andhin Paswan has prayed for grant of regular bail in case FIR No.0179 dated 07.08.2018 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1881 registered at Police Station Civil Lines, Bathinda, District Bathinda. The petitioner is in custody since his arrest on 07.08.2018.

On 07.08.2018, when the police party was on patrol duty at Ring Road Sauni Bathinda, then petitioner and other person namely, Mahesh Kumar @ Mahi were apprehended and two polythene bags were recovered one of which was hanging on the motorcycle bearing No.PB03AQ-5593, driven by co-accused and other bag was in right hand of petitioner who was pillion rider. Recovery of 30 vials of onerex containing 100 ml each and 30 strips of carisoma, 10 tablets each were effected from each polythene.

Learned counsel for the petitioner refers to order dated

11.04.2019 (Annexure P-2) passed by this Court in CRM-M-6404-2019 whereby concession of regular bail has already been granted to co-accused, namely, Mahesh Kumar @ Mahi. He further contends that petitioner is not involved in any other case of similar nature.

Learned State counsel while opposing the prayer contends that the recovered contraband falls within the ambit of commercial quantity. However, it is not disputed that there is no other case against the petitioner much less of the similar nature.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Bathinda.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

01.11.2019

vanita

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