

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

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CRM-M-47620-2019

DATE OF DECISION: 15.11.2019

SUNNY

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Varun Sharma, Advocate
for the petitioner.

Mr. K.K. Bheniwala, Addl. A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.117 dated 20.07.2019, under Section 15 of the NDPS Act, 1985, registered at Police Station Adampur, District Jalandhar.

Learned counsel for the petitioner contends that the allegations in the FIR are that two bags of poppy husk with a total weight of 52 kgs were recovered from the vehicle which was being driven by the petitioner. He further contends that the petitioner is in custody for about 4 months and is not involved in any other case under the NDPS Act. He also contends that recovery is marginally higher than the commercial quantity and if it is divided between the petitioner and the co-accused, it would fall below the commercial quantity. He also contends that the petitioner, who is a professional driver, is a poor person and the sole bread winner of his family.

Learned State counsel, upon instructions from SI Inder Singh, states that the investigation is on the verge of completion and the challan shall be filed in Court shortly.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for about 4 months, he is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

15.11.2019.

SwarnjitS

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