

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48551-2019

Date of Decision: 21.11.2019

Daljit Singh @ Jaggu

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Inderpal Singh Parmar, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in a case FIR No.77 dated 12.09.2019, under Section 22 of the NDPS Act, 1985, registered at Police Station Laddowal, District Ludhiana. He is in custody since his arrest on 12.09.2019.

As per the case of the prosecution, on 12.09.2019, a secret information was received by police party and nakka was laid. Petitioner/accused Daljit Singh @ Jaggu was apprehended for having conscious possession of 95 grams of intoxicant powder.

Learned counsel for the petitioner contends that the petitioner is not involved in any other case and the alleged recovery of 95 grams of intoxicant powder would fall within the ambit of non-commercial quantity. He submits that it is not certain as on today as to whether recovered article would be punishable under the NDPS Act as no FSL report has been received so far.

On the other hand, learned State counsel assisted by ASI

Gurbag Singh, does not dispute the fact that the quantity recovered is 95 grams, however, he is unable to point out the nature of the substance.

Considering the above background and the fact that the trial of the case is likely to consume considerable time, therefore, further custody of the petitioner, who is not required for any investigation, 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, Ludhiana.

The petition is allowed.

21.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No