

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

**CRM-M No.227 of 2020
Date of Decision : 14.01.2020**

Deepak

..... Petitioner

Versus

State of U.T., Chandigarh

..... Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Divjyot S. sandhu, Advocate
for the petitioner.

Ms. Ashima Mor, A.P.P., UT, Chandigarh.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.100, dated 12.04.2017, registered under Section 22 of the NDPS Act, 1985, at Police Station Sector 34, Chandigarh.

2. Ld. Counsel for the petitioner relies on the decision of the Division Bench of this Court in “*Saleem Mohd. vs. State of Punjab, 2015 (5), Law Herald 3939*”, on the basis of which, benefit of bail has been extended in terms of Rule 66(ii) of the NDPS Rules, 1985. According to which, a person can possess upto 100 dozes of the medicinal dosage recovered from him in the absence of any medical prescription.

3. Investigation has since been completed and challan submitted. The total custody undergone by the petitioner in this case is in excess of nine (09) months. He is reported to be already on bail in one more case bearing FIR No.365 dated 05.08.2014 under Section 20 of the NDPS Act, 1985.

4. Considering the overall circumstances, further detention, at this stage, would not serve any purpose. Therefore, the present petition is allowed and the petitioner, namely, Deepak, is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of Ld. Trial Court/Duty Magistrate, concerned.

(SUDIP AHLUWALIA)
JUDGE

January 14, 2020
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No