

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

CRM-M-1469 of 2020

Date of Decision: 13.08.2020

Raghunath @ Babli

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. H.S. Grewal, Addl.AG, Punjab.

HARINDER SINGH SIDHU,J

Prayer is for grant of regular bail in case FIR No.0085/2019 dated 27.08.2019 under Section 22 of the NDPS Act (Section 29 of NDPS Act added later on) registered at P.S Division No.2, Pathankot, District Pathankot.

As per allegations in the FIR, 80 strips (each of strips contained 10 tablets) of Alprazolam tablet IP were recovered from the illegal possession of the petitioner.

Learned counsel for the petitioner contends that no offence is made out against the petitioner and that the contraband allegedly recovered from the petitioner is small quantity.

Opposing the petition, learned State counsel submits that the recovery is higher than the commercial quantity.

As per the FSL report, the total weight of the contraband is 128 mg. The petitioner is stated to be in custody since 27.08.2019 and the trial has not made any headway due to the prevailing coronavirus outbreak.

Without commenting anything on the merits of the case and

also bearing in mind the fact that the petitioner is in custody since the date of his arrest, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Raghunath @ Babli is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case the petitioner indulges in any activity akin to one for which he has been convicted, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

This present petition stands accepted accordingly

(HARINDER SINGH SIDHU)
JUDGE

August 13, 2020
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No