

**CRM-M-3170-2020**

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

**CRM-M-3170-2020**

**Date of Decision: 31.01.2020**

Vishal

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Suneet Pal Singh Aulakh, Advocate,  
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

**HARNARESH SINGH GILL, J.(Oral)**

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.96 dated 21.09.2019, registered with Police Station Special Task Force Mohali/ Division No.5, District Ludhiana, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner contends that when the petitioner alongwith one Manpreet Singh alias Mani was riding on a motorcycle, the alleged recovery of 240 gram of heroin had been effected from him, which falls within the ambit of non-commercial quantity. He further contends that co-accused, Manpreet Singh alias Mani, has already been granted regular bail by this Court vide order dated 07.01.2020 passed in CRM-M-52578-2019.

On the other hand, learned State counsel after seeking

instructions from ASI Lakhwinder Singh, opposes the prayer made in the

**CRM-M-3170-2020**

present petition. However, he does not dispute the fact that the alleged recovery falls within the ambit of non-commercial quantity.

I have heard learned counsel for the petitioner and the learned State counsel.

Admittedly, the alleged recovery effected from the present petitioner falls in non-commercial quantity. The petitioner has been in custody since 21.09.2019. The trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping him behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**31.01.2020**  
parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

|              |                           |   |        |
|--------------|---------------------------|---|--------|
| <b>Note:</b> | Whether speaking/reasoned | : | Yes/No |
|              | Whether reportable        | : | Yes/No |