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

**CRM-M No.4592 of 2020
Date of Decision: 06.02.2020**

Manjit Singh @ Gopi

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Prashant Vashisth Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.60 dated 22.07.2019 registered under Sections 15/61 of the NDPS Act at Police Station City Raikot, Ludhiana-Rural.

56 kg of poppy husk has been recovered from the petitioner.

Learned counsel for the petitioner states that the alleged recovery is marginally in excess of quantity prescribed for non-commercial quantity. He refers to **Shinda Vs. State of**

Punjab, 2013(3) RCR (Criminal) 557 and **Lakhwinder Singh @ Bittu Vs. State of Punjab, 2012(22) RCR (Criminal) 301**

and submits that in such type of situation, bail can be granted to the person. Petitioner is not involved in any other case.

Learned State counsel on instructions from SI Gurtar Singh admits the aforesaid factual position, however, he states that the recovery falls under the category of commercial quantity.

Since challan has been presented, charges have been framed and no prosecution witness has been examined so far, therefore, at this stage, without meaning anything on merits of the case, it would be just and appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

06.02.2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No