

CRM-M-4587-2020

Date of decision: 06.02.2020

AJAY KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. D.N.Ganeriwala, Advocate
for the petitioner.

Ms. Jasleen Kaur, AAG, Punjab.

VIVEK PURI, J. (ORAL)

Petitioner is seeking regular bail with regard to the case registered vide FIR bearing No. 105 dated 22.07.2019 registered at Police Station Sadar, Bathinda under Section 21 of NDPS Act, 1985.

As per the version of the prosecution, 270 gms of 'Heroin' (inclusive of the weight of the bag) has been recovered from the possession of the petitioner.

The arrest of the petitioner was effected on 27.07.2019.

Reliance has been placed upon the judgment of this Hon'ble Court in *CRM-M-40876 of 2017 (Vishal Shah Versus State of Punjab)* decided on 04.04.2018. In the said decision quantity to the extent of 270 gms of heroine was construed to be marginally over and above the non-commercial quantity.

The investigation of the case is stated to be complete. The petitioner is not stated to be involved in any other case under the NDPS Act.

Considering the above and the fact that the trial is likely to consume sometime, further detention of the petitioner may not be justified. Therefore,

without making 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 concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

06.02.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No