

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

220

**CRM-M No. 4886 of 2020
Date of decision: 7.2.2020**

GULZAR KHAN

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

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

Present: Mr.G.S.Sadhrao, Advocate
for the petitioner.

Mr.J.S.Ghumman, DAG, Punjab.

RAJ MOHAN SINGH, J.

This petition has been filed under Section 439 Cr.P.C.
for grant of regular bail in case bearing FIR No.119 dated
27.9.2019 registered under Sections 15 and 29 of the NDPS at
Police Station Moonak District Sangrur.

60 kgs of poppy husk is alleged to have been
recovered from the petitioner.

Learned counsel for the petitioner relies upon **Shinda
vs State of Punjab, 2013(3) RCR (Criminal) 557** and
**Lakhwinder Singh @ Bittu vs State of Punjab, 2012(22) RCR
(Criminal) 301** and submitted that the case of the petitioner can
be considered for grant of regular bail as the alleged recovery is

slightly more than the quantity prescribed for non commercial quantity.

Learned State counsel, on instructions from ASI Sukhwinder Singh, states that the FSL report is still awaited.

At this stage, in view of nature of contraband recovered, which is marginally in excess of the quantity prescribed for non commercial quantity, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the CJM/ Duty Magistrate concerned.

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

February 07, 2020

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No