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

**CRM-M No.6560 of 2020
Date of Decision: 25.02.2020**

RANJIT SINGH @ RIPPY

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Arjun Veer Sharma, Advocate for
Mr. B.S. Toor, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.74 dated 15.07.2019, registered under Sections 15/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sudhar District Ludhiana.

Alleged recovery is of 54 kgs. of poppy husk from two persons. It is not in dispute that co-accused Gurdeep Singh @ Deep has already been granted regular bail by this Court vide order dated 14.01.2020 passed in CRM-M No.48049 of 2019.

Learned State counsel on instructions from SI Ramandeep Singh however opposed the same on the ground

that the recovered contraband falls under the category of commercial quantity.

In the light of observations made in **Shinda vs. State of Punjab, 2013(3) R.C.R. (Criminal) 557** and **Lakhwinder Singh @ Bittu vs. State of Punjab, 2012(22) R.C.R. (Criminal) 301**, the prayer for the grant of regular bail can be considered as the alleged recovery was slightly more than the quantity prescribed for non-commercial quantity.

At this stage, without adverting to the merits of the case, I am of the view that petitioner, who is in custody since 15.07.2019 can be enlarged on bail on parity with the co-accused Gurdeep Singh @ Deep, who has already been granted regular bail by this Court.

In view of above, petition is allowed. Petitioner is ordered to be released on 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.

February 25, 2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No