

CRM-M-9057-2020

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

CRM-M-9057-2020
Date of Decision: 05.03.2020

Davinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Prabhjeet Singh Sullar, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case FIR No.190 dated 25.10.2019, registered at Police Station Bhogpur, District Jalandhar, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act').

Learned counsel for the petitioner contends that in the present case, there are two accused and the alleged recovery of 54 kgs. of poppy husk is marginally above the non-commercial quantity, i.e. 50 kgs. which contains the weight of the bags as well, wherein it was stored. He further submits that the petitioner is not involved in any other case muchless of the NDPS Act.

On the other hand, learned State counsel, on instructions from Sub Inspector Surjit Singh, opposes the prayer made in the present petition.

However, he admits that challan is yet to be presented.

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I have heard the learned counsel for the parties.

Challan is yet to be presented. The petitioner has been in custody since 25.10.2019. The trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner 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.

05.03.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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