

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

**CRM-M-47832-2019 (O&M)
Date of decision: - 28.01.2020**

Harvinder Singh @ Bunty

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Shivender Sharma, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 93 dated 27.05.2019 registered under Sections 22 and 19 of Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 at Police Station Bhogpur, District Jalandhar.

As per prosecution, 340 tablets of Addnok-N have been recovered from the petitioner.

Learned counsel for the petitioner states that allegedly 340 tablets of Addnok-N have been recovered from the petitioner but it is not possible to keep 34 strips (containing 10 tablets each) in his pocket. He further states that the petitioner has been falsely implicated in the present case. The petitioner has been in custody since 27.05.2019.

On the instructions from HC Sukhwinder Singh, learned State counsel states that out of 16 prosecution witnesses, none has been examined. He further states that the recovered contraband falls under the commercial quantity.

I have heard the learned counsel for the parties. The petitioner has been in custody since 27.05.2019, out of 16 prosecution witnesses, none has been examined and no useful purpose would be served by detaining 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 petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

28.01.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No