

CRM-M-52578-2019

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

CRM-M-52578-2019

Date of Decision: 07.01.2020

Manpreet Singh alias Mani

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Swati Verma, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.96 dated 21.09.2019, registered with Police Station Special Task Force, Mohali/Division No.5, District Ludhiana, under Section 21 of NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner alongwith one Vishal was riding on a motorcycle, when the recovery of 220 gram of heroin was effected from the right pocket of his jeans. She further contends that the motorcycle does not belong to the petitioner and there is no other case pending against him under the NDPS Act. The recovery allegedly effected from the petitioner falls within the ambit of non-commercial quantity.

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On the other hand, learned State counsel after seeking instructions from SI Jaspal Singh, opposes the prayer made in the present petition, however, he does not dispute the fact that the alleged recovery falls within the ambit of non-commercial quantity.

I have heard learned counsel for the petitioner and the learned State counsel.

Admittedly, the alleged recovery effected from the present petitioner falls in non-commercial quantity. The petitioner has been in custody since 21.09.2019. The trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping him 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.

07.01.2020
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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