

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

**CRM-M No. 942 of 2020
Date of decision: - 16.01.2020**

Amrik Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gautam Dutt, 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. 63 dated 31.07.2019 registered under Sections 22 and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Block Majari, District SAS Nagar.

As per prosecution case, the petitioner was found in conscious possession of 250 grams of Heroin and his co-accused Balwinder Singh was found in conscious possession of 500 grams of Heroin.

Learned counsel for the petitioner states that the petitioner was found in conscious possession of 250 grams of Heroin and co-accused Balwinder Singh was found in conscious possession of 500 grams of Heroin lying underneath their respective seats in Car. Vide order dated 15.10.2019 (Annexure P-2) the petitioner was admitted on bail, thereafter, vide order dated 18.10.2019, on receipt of FSL report, the bail granted to the petitioner

was cancelled. He requested to grant regular bail to the petitioner, as no recovery has to be effected and investigation has already been concluded.

Learned State counsel states that as per the FSL report, the quantity of recovered contraband from the petitioner was found to be a commercial quantity, thus, the bail granted to the petitioner was rightly cancelled. On the instructions from ASI Paramjit Singh, he states that the challan has been presented and charges are yet to be framed.

I have heard the learned counsel for the parties and am of the view that 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

16.01.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No