

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

**CRM-M No.54910 of 2019
Date of decision:08.01.2020**

Vinay Bhatti

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gursimran Singh Bawa, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

SUVIR SEHGAL J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.177, dated 30.09.2018 registered under Sections 21, 22 of NDPS Act, 1985 at Police Station Islamabad, Amritsar Distt. Police Commissionerate, Amritsar.

Learned counsel for the petitioner has submitted that petitioner was sitting on the right rear seat of the car which was being driven by Honey Mattu @ Honey and the other passengers travelling in the car were Mani Singh @ Mani who was sitting in the navigator seat and Rahul Bhagat @ Karan who was sitting on the left side seat. He has further submitted that 100 Grams of heroin was recovered from underneath the driver's seat and 980 tablets of 'Alprazolam' was recovered from below the mat from the left side of the front seat. Still further he has submitted that no recovery has been effected from the person of the petitioner, who was an innocent traveller in the car.

On the other hand, learned State counsel has opposed the

application for bail on the ground that quantity recovered is commercial.

Considering the fact that the petitioner is a young boy of 19 years of age who is not involved in any other case and also the fact that he is in custody for the last more than five months, without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

08.01.2020

pooja saini

**(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No