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

\* \* \*

**CRM-M-253-2021**

**Decided on : 11<sup>th</sup> January, 2021**

Joban Singh @ Bikka

Petitioner

Versus

State of Punjab

Respondent

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

\* \* \*

Present: Mr. B.S. Bhalla, Advocate for the petitioner.

Ms. Samina Dhir, Deputy Advocate General, Punjab.

**Avneesh Jhingan, J. (Oral)**

The matter is taken up for hearing through video conference due to COVID-19 situation.

The petition is filed seeking regular bail in FIR No.279, dated 28<sup>th</sup> October, 2020 under Sections 21 (c), 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('Act'), registered at Police Station City Tarn Taran, District Tarn Taran.

The FIR was registered as a result of checking of car bearing registration PB02-DZ-7786, on the basis of secret information. During checking, 150 grams of heroin was recovered from the petitioner-Joban Singh @ Bikka and 270 grams of heroin was recovered from one Karandeep Singh.

Mr. B.S. Bhalla, learned counsel for the petitioner submits that alleged recovery is of non-commercial quantity; the petitioner is in custody since 28<sup>th</sup> October, 2020; no recovery is to be made and petitioner is not involved in any other case under the Act.

Ms. Samina Dhir, Deputy Advocate General, Punjab submits that 420 grams of heroin was recovered in total, which is commercial in quantity. She opposes the prayer for grant of bail.

On weighing the facts of the case, it is not found to be a appropriate case for further denying the personal liberty of the petitioner. More so, when the conclusion of trial is likely to take time and no recovery is to be made. As per the case made out, non-commercial quantity of heroin has been recovered from the conscious possession of the petitioner.

In view of above, the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

**[AVNEESH JHINGAN]**  
**JUDGE**

**11<sup>th</sup> January, 2021**  
*pankaj baweja*

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|----------------------------|---------|
| Whether speaking/reasoned: | Yes/ No |
| Whether reportable:        | Yes/ No |