

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

CRM-M-7600 of 2021.

Decided on:- February 23, 2021.

Gurdev Singh alias Deba.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Ms. Gursharan K. Mann, Advocate
for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.352 dated 28.11.2020 under Sections 21, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) registered at Police Station Lopoke, District Amritsar Rural.

As per the FIR, there is recovery of 15 grams heroin and an amount of Rs.35,000/- from the possession of the petitioner.

Learned counsel for the petitioner has submitted that apart from the fact that there is no other case against the petitioner, he is in custody since 28.11.2020 and the FSL report has not been received in the case so far.

Learned State counsel does not dispute the aforesaid contention raised by learned counsel for the petitioner.

I have heard learned counsel for the parties.

Noticing the fact that the petitioner is in custody since 28.11.2020 and in the background when there is no other case against the petitioner coupled with the fact that the recovery is non-commercial, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

It is made clear that in case the petitioner is found involved in any other case of similar nature, the prosecution shall be at liberty to seek cancellation of his bail in this case.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

February 23, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No