

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-17696-2021 (O&M)

Date of Decision:- 29.4.2021

Sompal @ Rolu

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajesh Duhan, Advocate, for the petitioner.

Mr. A.A.Pathak, Addl. A.G. Punjab,
assisted by ASI Mukhtiar Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.298, dated 3.12.2020, Police Station Kotwali, Patiala, under Sections 20/61/85 of NDPS Act wherein it is alleged that the petitioner was found in possession of 1.5 kg of 'Ganja'.
2. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and that in any case since the allegedly recovered contraband falls under 'non-commercial

quantity', he deserves the concession of bail as challan already stands presented and the petitioner has been behind bars since the last more than 4 months.

3. Opposing the petition, learned State counsel has submitted that since the petitioner is a habitual offender having been involved in two cases registered under Excise Act and one case registered under NDPS Act, no case for grant of bail is made out.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the nature and quantity of contraband allegedly recovered which is one of the mildest form of the contraband and falls under non-commercial quantity and while noticing that the petitioner as on date has been behind bars since the last more than 4 months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.4.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No