

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

212

**CRM-M-30339 of 2021
Date of Decision: 06.08.2021**

Mandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.29, dated 21.04.2021, having been registered at Police Station Dera Baba Nanak, Police District Batala (District Gurdaspur), alleging therein the commission of offences punishable under Sections 21, 23, 25, 27-A and 29 of the NDPS Act, 1985.

Learned counsel for the petitioner points to the order passed by this court in CRM-M-22341 of 2021, decided on 29.06.2021, by which his co-accused, Gulwinder Singh @ Galwinder Singh was admitted to bail.

Learned counsel submits that though the petitioner is the driver of the car from which the contraband (50 gms. of heroin) is alleged to have been

recovered (as per the case of the investigating agency), nothing was recovered from the petitioners' personal search, and in any case the said amount of heroin even if eventually found to be recovered (though denied), is well short of commercial quantity.

Upon query to learned State counsel, he submits that as per his instructions there is no other case registered against the petitioner, but otherwise he opposes the petitioner being admitted to bail in the circumstances.

Considering the above, with the quantity of heroin stated to have been recovered from the car which the petitioner was driving (as per the case of the investigating agency), being well below commercial quantity (which is above 250 gms.), the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court/Duty Magistrate concerned.

August 06, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No