

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

CRM-M-30611-2020 (O&M)

Date of Decision:- 19.1.2021

Sukhraj Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Balbir Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.66, dated 12.9.2006, Police Station Sarai Amanat Khan, District Tarn Taran, under Section 21 of NDPS Act wherein it is alleged that the petitioner was found in possession of 5 grams of 'Smack'.
2. Learned counsel for the petitioner has submitted that the aforesaid quantity would fall in the category of small quantity and since the

petitioner as on date has been behind bars since the last about 6 months, he deserves the concession of bail.

3. Opposing the petition, learned State counsel has submitted that since the petitioner was declared a 'Proclaimed Offender' on 18.4.2011 and has ever since has been an absconder, no case for grant of bail is made out. Learned State counsel has however, not disputed the fact that the recovered quantity falls in the category of small quantity which is punishable for a maximum period of 6 months.
4. Keeping in view the aforestated position where the petitioner is stated to be in custody for the last about 6 months and it is a case of recovery of small quantity of contraband, the petition 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.

January 19, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No