

Sandeep Kumar Vs. State of Punjab

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Court : Punjab and Haryana

Decided On : Mar-11-2014

Appellant : Sandeep Kumar

Respondent : State of Punjab

Judgement :

CRM-M-7989-2014 1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH CRM-M-7989-2014 Date of Decision: March 11, 2014 Sandeep Kumar ...Petitioner Versus State of Punjab ...Respondent CORAM: HON'BLE Mr.JUSTICE NARESH KUMAR SANGHI Present: Mr.Munish Puri, Advocate, for the petitioner.

Mr.K.S.Pannu, DAG, Punjab, for the respondent.

NARESH KUMAR SANGHI, J.

1.

Prayer in this petition is for grant of regular bail to the petitioner, Sandeep Kumar, son of Dharam Pal, resident of Seunti Taraf Narot Jaimal Singh, Tehsil and District Pathankot, who has been booked for having committed the offences punishable under Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'the Act').in a case arising out of FIR No.27, dated 4.5.2013, registered at Police Station, Narot Jaimal Singh, District Pathankot.

2.

Learned counsel contends that according to the prosecution version 500 grams of Dextropropoxyphene powder was allegedly recovered from the petitioner, which is of non-commercial quantity; the petitioner is behind the bars from 4.5.2013 and the trial is proceeding at a snail's pace; and that the petitioner is neither required nor involved in any other case.

Kapoor Prashant 2014.03.12 10:22 I attest to the accuracy of this order CRM-M-7989-2014 2 3.

Learned counsel for the State very fairly concedes that the recovery up to 500 grams of Dextropropoxyphene powder will attract the provision of non-commercial quantity and, as such, there is no bar of Section 37 of the Act for grant of bail to the petitioner.

He further concedes that the petitioner is neither required nor involved in any other case.

4.

In view of the rival contentions raised by learned counsel for the parties, the present petition is allowed.

The petitioner, Sandeep Kumar, son of Dharam Pal, resident of Seunti Taraf Narot Jaimal Singh, Tehsil and District Pathankot, is ordered to be released on bail during the pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, Pathankot.

(NARESH KUMAR SANGHI) March 11, 2014 JUDGE P Kapoor Kapoor Prashant 2014.03.12 10:22 I attest to the accuracy of this order

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