

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

**CRM-M-36570-2017
Date of decision: 30.11.2017**

Harish Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail in FIR No.147 dated 28.07.2017 under Sections 22/61/85 of NDPS Act, registered at Police Station Maqsudan, District Jalandhar.

Counsel for the petitioner submits that the petitioner is a licensed chemist and has relied upon the licence issued by the Licensing Authority, Jalandhar Zone, Civil Surgeon, Jalandhar. Counsel for the petitioner further submits that the recovery is of non-commercial quantity and petitioner is in judicial lockup since 28.07.2017. It is further submitted that the petitioner is not involved in any other case. The investigation in the present case is already complete and conclusion of the trial will take long time.

Learned State counsel, on instructions from ASI Naresh Pal,

however, opposed the prayer for bail on the ground that prosecution evidence has just started.

Without commenting on merits of the case, considering the fact that recovery is of non-commercial quantity and petitioner is in judicial lockup for the last 04 months and it will be decided during the course of trial, whether he was holding a valid licence of a chemist and also in view of the fact that the petitioner is not involved in any other case, he is directed to be released on bail subject to his furnishing bail/surety bond to the satisfaction of the trial Court/Duty Magistrate, Jalandhar.

(ARVIND SINGH SANGWAN)
JUDGE

30.11.2017

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No