

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

CRM-M No.33918 of 2017
Date of decision: 29th September, 2017

Jaswinder Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Jaswinder Kumar in this petition filed under Section 439 Cr.P.C. seeking regular bail in case bearing FIR No.59 dated 01.06.2017 registered at Police Station Sadar Rawalpindi, Phagwara, District Kapurthala under Sections 18/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, are that on 01.06.2017 from the conscious possession of the petitioner 1.100 kgs of Opium, a non-commercial quantity, has been recovered.

Contentions of the learned counsel for the petitioner Mr.Bhanu Pratap Singh are that the petitioner is behind bars for the last almost three-and-a-half months and investigation and trial are not likely to conclude in the near future.

Though the factual scenario could not be displaced by learned State counsel however he has sought to oppose grant of relief to the petitioner.

Appreciating the submissions of the two sides, keeping in view the period of incarceration and the nature of recovery coupled with the fact that investigation and trial will take time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Kapurthala.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

September 29, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No