

CRM-M-35968-2017

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

CRM-M-35968-2017

Date of Decision:17.11.2017

Bikramjit Singh @ Vicky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sultan Singh Gill, Advocate,
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Bikramjit Singh @ Vicky has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.13 dated 14.10.2016, registered at Police Station SSOC, Amritsar, under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity,'NDPS Act') and Section 42 of the Prison Act.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that 1 kg heroin was recovered from the co-accused, which falls in commercial quantity. The allegation

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against the present petitioner is that on the asking of the petitioner, who was in jail at the time of registration of FIR, co-accused was selling the heroin to the general public. The petitioner has been charge-sheeted under Section 29 of the NDPS Act, 1985. The bar of Section 37 of the NDPS Act, 1985 is not applicable to the case of the present petitioner.

The petitioner has been in custody since 15.10.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

17.11.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No