

CRM-M-10379 of 2018

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

CRM-M-10379 of 2018
Date of Decision: 10.07.2018

Harjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Mandeep Kaushik, Advocate, for the petitioner.
Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Harjit Singh in a case arising from FIR No.57 dated 30.03.2015 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Ludhiana, District Ludhiana.

According to the prosecution, 200 grams of intoxicant powder containing Alprazolam salt was recovered from the possession of the petitioner.

Learned counsel for the petitioner *inter alia* contends that petitioner is in custody since 09.02.2018. The conclusion of trial may take a long time. No useful purpose would be served by keeping the petitioner behind bars.

Learned State counsel has vehemently opposed the bail application on the ground that the petitioner is a habitual offender.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed.

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Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds of ₹2.00 lakh and two sound sureties of the like amount, to the satisfaction of Trial Court/Duty Magistrate concerned. However, in case, the petitioner, in future, is found involved in any case under the NDPS Act, in that eventuality, this order shall stand automatically cancelled and the trial Court shall take him into custody. Proceedings under Section 446 Cr.P.C. shall also be carried out independently against him and against his sureties by the Special Court in accordance with law.

July 10, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No