

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

CRM-M-17722-2018

Date of decision: - 03.05.2018

Gagandeep Singh @ Gagani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aminder Singh, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.68 dated 21.07.2017, registered under Section 22 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act') at Police Station Longowal, District Sangrur.

It is contended by learned counsel for the petitioner that as per the case of the prosecution only five injections of OMOGESIC (Buprenorphine) were recovered from the pocket of the petitioner and the same shall be non-commercial in nature. It is further contended that the petitioner is in custody since 21.07.2017 and out of total fourteen prosecution witnesses, only four have been examined till date.

The above factual position is duly acknowledged by learned State counsel on instructions from HC Gurtej Singh.

Heard learned counsel for the parties and perused the paper-book.

Undisputedly, there is no other case pending against the petitioner under the provisions of NDPS Act.

In view of the fact that alleged recovery is non-commercial, only four prosecution witnesses have been examined out of total fourteen and the trial is likely to take a long time to be concluded and thus, no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, the present petition is accepted. Petitioner-Gagandeep Singh @ Gagani be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

**(MAHABIR SINGH SINDHU)
JUDGE**

May 03, 2018
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Whether reportable?	Yes
Whether reasoned/speaking?	Yes