

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Criminal Misc. No. M-29207-2018

Date of Decision: 20.09.2018

Virdavinder Singh @ Sunny

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amarbir Singh Salar, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioner Virdavinder Singh @ Sunny has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.0020 dated 05.02.2018, registered at Police Station Sirhind, District Fatehgarh Sahib, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion was issued.

Learned State counsel appeared; filed reply and contested the instant petition.

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

In the present case, as per the prosecution version, 11 injections of Buprenorphine and 11 bottles of Avil are stated to have been recovered from the present petitioner.

As per the order of learned ACJM, Fatehgarh Sahib dated 06.02.2018, the case property was produced before the Court, which was

lying in a black coloured polythene. The FIR is of 05.02.2018 and the case property was produced before the Court without any sealing process etc. Therefore, there is every chance of tampering with the recovery etc.

The petitioner has been in custody since 05.02.2018. 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 Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

20.09.2018  
*Jasmine Kaur*

**(INDERJIT SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No