

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

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CRM-M-32575-2018

Date of Decision: September 17, 2018

Jagroop Lal @ Jyoti

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. Jasdeep Singh Walia, Sr. DAG, Punjab.

Sudhir Mittal, J. (Oral)

The petitioner-Jagroop Lal @ Jyoti seeks grant of regular bail in FIR No.91 dated 03.11.2017, registered at Police Station GRP Sirhind and District Fatehgarh Sahib, under section 22 of the NDPS Act, 1985. According to FIR, 15 injections of 2 ml each of *Buprenorphine* were recovered from the petitioner.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 03.11.2017. The investigation is complete but no prosecution witnesses have been examined till date. There is no other case pending against the petitioner. Thus, the petitioner be granted regular bail.

3. Learned State counsel submits that commercial quantity of narcotic substance has been recovered from the petitioner and thus, he is not entitled to be granted regular bail. However, he does not dispute the fact that there is no other case pending against the petitioner.

4. Custody certificate prepared by Sh.Ramandeep Singh Bhangu, PPS,

Deputy Superintendent, New District Jail, Nabha has been submitted in the Court, which is taken on record. A copy thereof has been supplied to learned counsel for the petitioner. Learned State counsel submits that the said certificate has been received through e-mail today itself. A perusal thereof shows that petitioner has actually undergone custody of 10 months and 14 days and that there is no other case pending/decided against him.

5. Considering the fact that the petitioner has been in custody for more than 10 months and that the trial is not likely to be concluded at an early date, I deem it just and appropriate to grant regular bail to the petitioner. The fact that there is no other case pending against the petitioner, is also a relevant circumstance.

6. In view of the above, this petition is allowed and the petitioner-Jagroop Lal @ Jyoti is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court concerned at Fatehgarh Sahib.

September 17, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No