

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-34797-2018

Date of decision: 20.08.2018

Jude Justine

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. JS Bagga, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Jude Justine, has prayed for grant of regular bail in case FIR No. 13 dated 18.04.2018 registered under Sections 21 and 22 of the NDPS Act and Section 14 of the Foreigners Act, 1946 at Police Station STF Wing Phase-IV, Mohali.

2. According to the prosecution, around 12.30 p.m., on 18.04.2018, the petitioner was apprehended by the police party, while laying 'Naka' in connection with checking of bad elements and drug paddlers. On personal search of the petitioner, a packet containing 50 grams of Cocaine was recovered along with drug money of ₹ 40,000/-.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the instant case. The alleged recovery of 50 grams of Cocaine from the petitioner falls under “non-commercial quantity”. The petitioner is not involved in any other case

under the NDPS Act. The petitioner is in custody since 18.04.2018.

Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail.

4. On the other hand, learned State vehemently opposed the submissions made by learned counsel for the petitioner.

5. Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Jude Justine, is ordered to be released on bail pending trial, on his furnishing appropriate bail bonds and two sound local sureties to the satisfaction of trial Court/Duty Magistrate, concerned, as the petitioner is a Nigerian Citizen.

August 20, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No