

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45080-2018 (O&M)

Date of decision:01.11.2018

Gurjinder Singh @ Laddi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.69 dated 23.07.2018 under Sections 22 of NDPS Act, registered at Police Station Tarsikka, District Amritsar Rural.

Learned counsel for the petitioner submits that even as per the case of prosecution, only 70 tablets have been recovered from the petitioner. Therefore, by any means, the recovery from the petitioner is less than commercial quantity. Learned counsel for the petitioner has relied upon the judgment of this Court, dated 21.08.2018, rendered in ***Rajvir @ Raju Vs. State of Punjab in CRM-M-35080 of 2018***, to support his contention. It is further contended that the petitioner is in custody since 23.07.2018. The petitioner is not required for any further investigation purposes. The trial shall take a long time.

On the other hand, learned State counsel has not disputed the fact regarding the recovery effected from the petitioner. It is further submitted that there are three more cases against the petitioner.

In response to this, counsel for the petitioner has submitted that out of those three cases, the petitioner has been acquitted in one case and the petitioner is on bail in remaining two other cases. Hence, the petitioner is not in custody except the present case.

In view the above submissions made by counsel for the petitioner, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

01.11.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No