

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

Crl. Misc. No. M-47425 of 2017

Date of Decision: 09.03.2018

Manish Kumar

.....Petitioner

vs.

The State of Punjab

.....Respondent

BEFORE:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Gautam Dutt, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.89 dated 24.07.2017 registered at Police Station Shambhu, District Patiala under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

It is the contention of learned counsel appearing for the petitioner that the petitioner is a licensed Chemist and is doing retail business of sale and purchase of medicines. The licence granted to the petitioner has been placed on record as 'Annexure P-2'. According to the petitioner, the recovery has been effected from his shop although it is shown as having been effected from outside. In any case, the petitioner has remained in custody for about seven and a half months. The investigation is complete and the challan has already been presented, therefore, no useful purpose would be served by keeping the petitioner in custody indefinitely.

Learned State counsel submits that commercial quantity of Zalpra 0.5 and Alpax 0.5 tablets was recovered and, therefore, the petitioner is not entitled to

concession of regular bail. However, he contends that the investigation is complete; challan has been presented in Court and out of 11 witnesses, only one witness has been examined as on date.

Keeping in view the facts that the petitioner is a licensed Chemist; investigation is complete and the completion of trial is likely to take some time, it would be just and expedient to release the petitioner on regular bail. The investigating agency is already in possession of the evidence of this case and, thus, there can be no apprehension of interference with the investigation.

The petition is allowed. The petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court.

March 09, 2018
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned : Yes

Whether referred to Reporters : No