

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

CRM-M-50237-2018

Date of Decision:14.12 .2018.

JASWINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. R.P. Dhir, Advocate
 for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.04 dated 08.01.2018 registered under Section 22 of NDPS Act at Police Station City Bholath, District Kapurthala.

Learned counsel for the petitioner submits that the alleged recovery effected from the petitioner is 12 bottles of AVIL-10ml and 12 vials of REXOGESIC-2ml. There is no other case pending against the petitioner and he is in custody since 21.08.2018 i.e. the date when charge was framed against him. Earlier also he remained in custody in the present case from 08.01.2018 to 20.03.2018. Trial in the case will take a long time.

Learned State counsel on instruction from ASI-Lakhwinder Singh does not dispute the submissions made on behalf of the petitioner,

however, states that keeping in view the contraband recovered from the petitioner, he is not entitled for bail.

I have heard learned counsel for the parties.

Undisputedly, the petitioner is in custody since 21.08.2018 i.e. the date when charge was framed against him. Earlier also he remained in custody in the present case from 08.01.2018 to 20.03.2018 and there is no other case pending against him. Considering the fact that trial in the case will take sufficiently long time and no useful purpose will be served to keep the petitioner in custody, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail.

(HARI PAL VERMA)
JUDGE

December 14, 2018

Jyoti-IV

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No