

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

**Criminal Misc. No. M-8515 of 2018  
Date of decision: 11.09.2018**

**Robindeep Singh**

**..Petitioner**

**Versus**

**State of Punjab**

**..Respondent**

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

**Present:** Mr. L.S. Sekhon, Advocate  
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab  
for the respondent-State.

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**Daya Chaudhary, J. (Oral)**

The present petition has been filed by petitioner-Robindeep Singh under Section 439 Cr.P.C. for grant of regular bail in case FIR No.01 dated 03.01.2018 registered under Section 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Longowal, District Sangrur, during pendency of the trial.

Learned counsel for the petitioner submits that as per allegations levelled in the FIR, the petitioner was found to be in possession of 13 bottles of Corex Cough Syrup whereas the FIR was registered under Section 22 of the NDPS Act. As per allegations, the petitioner was found to be in possession of 1300 ml of liquid cough syrup and it comes to 1183 gms as per FSL report. Learned counsel further submits that Codeine is a manufacture drug and FIR has been registered under Section 22 of the NDPS Act, which is not made out. The petitioner is in custody since 03.01.2018. The petitioner was released on interim bail till the receipt of Chemical Examiner's report. Learned counsel also submits that mandatory

provisions of NDPS Act have not been followed and in other case of NDPS, the petitioner has already undergone the sentence. Out of total 12 witnesses, only one witness has been examined and the trial may take long time to conclude. No purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the alleged recovery; the custody period as well as stage of trial but has opposed the submissions made by learned counsel for the petitioner.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner; the alleged recovery and by considering that the petitioner is in custody since 03.01.2018; as on today, no other case is pending against him as he has undergone the sentence in earlier case of NDPS; the trial may take time to conclude; out of total 12 witnesses, only one has been examined and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Robindeep Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

However, in case, the petitioner is found to be involved in any other case of NDPS, the State is at liberty to move an application for cancellation of bail.

**11.09.2018**  
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**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No