

**In the High Court of Punjab and Haryana at Chandigarh**

**230-2**

**CRM-M-3743-2019 (O & M)**  
**Date of Decision: October 18, 2019**

**SEHDEV**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. G.S.Saini, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

The petitioner is seeking regular bail in FIR No. 65, dated 17.07.2018, under Sections 22, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Khuian Sarwar, District Fazilka.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he was found in possession of tablets with a total weight of 522 grams Tramadol. Tramadol has been brought under the NDPS Act only w.e.f. 28.04.2018, prior to this, it did not constitute an offence under the NDPS Act. The petitioner is not involved in any other case under the NDPS Act and is in custody for over 01 year and 03 months. He further contends that the first informant had himself conducted the investigation which had caused prejudice to the petitioner. He has relied upon the judgment of Coordinate Benches of this Court in the case of **Kashmir Singh vs. State of Punjab**, in

CRM-M-7437 of 2019, decided on 21.02.2019 wherein the petitioner therein had been granted regular bail as he was in custody for over seven months and the judgment in the case of **Karaj Singh vs. State of Punjab**, in CRM-M-23811 of 2018, decided on 09.07.2018, wherein the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel upon instructions from ASI Manjeet Singh states that 01 out of 09 prosecution witnesses has been examined.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner is in custody for over 01 year and 03 months, he is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take sometime, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**October 18, 2019**  
A.Kaundal

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