

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7936-2019

Date of decision-28.02.2019

Ajaib Singh @ Rinky

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab assisted by
ASI Jatinder Pal.

MANOJ BAJAJ, J.

Petitioner has prayed for grant of regular bail in case FIR No.56 dated 29.07.2018 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Badali Aala Singh, District Fatehgarh Sahib.

According to the prosecution, when the Police party was on patrol duty, two persons were seen coming by foot. It was suspected that they both were carrying intoxicating substance. They disclosed their names as Parneet Singh @ Meeta son of Major Singh and Ajaib Singh @ Rinku son of Om Parkash (petitioner). After completion of formalities, 11 intoxicating injections of buprenorphine 2 ml each and pherniramine maleate 10 ml each were recovered from Parneet Singh @ Meeta whereas from the petitioner, 6 intoxicating injections of IP 2 ml each were recovered.

Learned counsel for the petitioner contends that recovery of six

injections falls within the non-commercial quantity and the investigation of the case is complete. The petitioner is in judicial custody since his arrest on 29.07.2018.

On the other hand, learned State counsel assisted by ASI Jatinder Pal opposed the bail application on the ground that the offence is serious. He has filed custody certificate of the petitioner which reveals that nearly seven months have already been undergone by him.

Considering the quantity of substance; the custody of petitioner and stage of trial, which is likely to consume more time as only two witnesses have been examined so far out of total 11 witnesses, further detention of the petitioner may not be justified. Therefore, without meaning any expression on the merits of the case petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

28.02.2019
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No