

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

239

CRM-M-7650-2019

DATE OF DECISION: 25.09.2019

GURCHARAN SINGH @ LOVE

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Arjun Lakhanpal, Advocate for the petitioner(s).

Mr. N.K. Banka, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.195 dated 06.09.2018, under Section 22 of the NDPS Act, registered at Police Station City South Moga, District Moga.

Learned counsel for the petitioner contends that the allegations in the FIR are that 300 grams of Tramadol Hydrochloride was recovered from the petitioner. He contends that the petitioner has been falsely implicated by the police and he was picked up by the police one day prior to the lodging of FIR, which is evident from the CCTV footage collected from a CCTV camera installed outside the residence of the petitioner. He also contends that the co-accused from whom recovery of 200 grams of Tramadol was effected had been granted regular bail by the coordinate Bench of this Court on 29.01.2019 in CRM-M-3250-2019. The petitioner is not involved in any other case under the NDPS Act. He also contends that earlier Tramadol was not covered under the

NDPS Act and only after the notification issued on 26.04.2018, Tramadol has been brought within the ambit of the NDPS Act.

Learned State counsel states that 3 out of 16 prosecution witnesses have been examined.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 1 year, he is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take some time, 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 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.

25.09.2019

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No