

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

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CRM-M-12690-2019

DATE OF DECISION: 29.10.2019

SUKHWINDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.140 dated 30.12.2017, under Section 22 of the NDPS Act, registered at Police Station Sadar Moga, District Moga.

Learned counsel for the petitioner contends that the allegation against the petitioner is that tablets of Alprazolam with a total weight of about 150 grams were recovered from the petitioner. The petitioner is in custody for over 1 year and 9 months ever since the registration of the FIR on 30.12.2017. He is not involved in any other case under the NDPS Act. He also contends that the officer who effected recovery had himself conducted the investigation. He has also relied upon the judgment of coordinate Bench of this Court in the case of Gagandeep Singh @ Gagan Vs. State of Punjab in CRM-M-29059-2018 decided on 14.11.2018 wherein recovery of Alprazolam was about 200 grams and the petitioner therein had been granted regular bail after 1 year and 4 months.

Learned State counsel, upon instructions from ASI Nahar Singh, states that 5 out of 12 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 1 year and 9 months, the judgment of the coordinate Bench of this Court, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

29.10.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No