

213

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15985-2019
Date of decision-11.04.2019

Harbhajan Singh @ Bhajan

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab assisted by
HC Amarjit Singh.

MANOJ BAJAJ, J.

Petitioner-Harbhajan Singh @ Bhajan has prayed for grant of regular bail in case FIR No.170 dated 03.09.2018 under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1881 (in short 'NDPS Act') registered at Police Station Bagha Purana, District Moga. The petitioner is in custody since his arrest on 03.09.2018.

As per the prosecution case, a secret information was received informing the Police that Sandeep Singh @ Babu and Harbhajan Singh @ Bhajan (petitioner) are engaged in business of heroin and intoxicating substance. It was intimated that Harbhajan Singh @ Bhajan has got heroin from the house of Sandeep Singh @ Babu and he is presently standing at Balmiki Chowk and waiting for selling the same to his customers. Acting upon the same, house of Sandeep Kumar and Balmiki chowk, Bhagapurana

where the alleged accused were stated to be available was raided and recovery of 260 grams of intoxicant powder was effected.

Learned counsel for the petitioner contends that only two grams of heroin was recovered from the possession of the petitioner which comes under the purview of small quantity. According to him, the investigation of the case is complete and the petitioner is confined in judicial custody.

On the other hand, learned State counsel assisted by HC Amarjit Singh opposed the bail application. It is contended that investigation of the case is complete. The challan in the case was filed on 10.01.2019 and the charges are yet to be framed.

Considering the above background; stage of the trial and custody period of the petitioner, this Court is of the opinion that further detention of the petitioner is not justified. Therefore, without meaning any expression of opinion 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, Moga.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

11.04.2019

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