

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

**CRM-M No. 19194 of 2019
Date of Decision:-03.05.2019**

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Satnam Singh has prayed for grant of regular bail in case FIR No.206 dated 07.9.2017, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act') registered at Police Station Bhikhiwind, District Tarn Taran.

As per the version in the FIR, on 07.9.2017 during patrolling in search of anti social elements, when the police party reached link road over the drain at village Sursingh then from the Gurudwara Baba Puhla side on the road from the front side, one hindu person was coming on foot and on seeing the police party got perplexed and sat on the right side of the road for urinating and thrown away one plastic bag containing something from the

right pocket of the shirt worn by him. After apprehending by the police party, he disclosed his name as Satnam Singh (petitioner). After lifting the plastic bag thrown by the petitioner and on counting 750 intoxicant tablets were found in it. After completion of formalities, FIR was registered and the accused was arrested.

Learned counsel for the petitioner contends that as per FIR, 750 tablets of intoxicant was recovered from the petitioner and the total weight of the same turns out to be 57 grams, which is marginally higher than 50 grams, the commercial quantity. It is contended that the challan in the case has been filed and charges were framed on 07.8.2018. According to him, there are in all 08 witnesses, out of which only one has been examined so far and the examination of rest of the witnesses will take considerable time. It is also contended that the petitioner is not involved in any other case much less under the NDPS Act.

On the other hand, learned State counsel assisted by ASI Puran Singh opposed the bail application. It is contended that the commercial quantity of the contraband was recovered from the petitioner. However, it is not disputed that only one witness has been examined so far and seven still remain to be examined.

Considering the above background of the case and the fact that trial will take considerable time, therefore, further detention of the petitioner is not justified. Resultantly, without meaning any expression of opinion on the merits of the case it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to

the satisfaction of the trial Court, Tarn Taran.

The petition is allowed.

May 03, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No