

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

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**CRM NO. M-20056 OF 2019
DECIDED ON : 03.12.2019**

NARESH KUMAR

...Petitioner

versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Jasraj Singh, Advocate, for the petitioner.

Mr. K.K. Beniwal, Addl. A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.48 dated 03.03.2018 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'NDPS Act') , registered at Police Station Garhshankar, District Hoshiarpur.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that 18 injections of Avil and 18 injections of Bupronorphine each containing 2ml were recovered from him. Avil does not constituted offence under the NDPS Act. He further contends that the petitioner is in custody for over 01 year and 06 months and not involved in any other case under the NDPS Act. He has also relied upon the judgments of the Coordinate Benches of this Court in the case of Dalwinder Singh versus State of Punjab, passed in CRM-M-10753-2019 on 03.05.2019 whereby the petitioner therein, who was in possession of 15 injections of Buprenorphine containing 2 ml each, was granted regular bail after having put in about a year in custody; in the case of Kamaljeet Singh @ Kamal versus State of Punjab, passed in CRM-M-4538-2019 on 13.03.2019 whereby the petitioner

therein, who was in possession of 12 injections of Buprenorphine containing 2 ml each, was granted regular bail after having put in about nine months in custody and in the case of Kuldeep Singh versus Union Territory, Chandigarh, passed in CRM-M-1400-2018 on 19.01.2018 whereby the petitioner therein, who was in possession of 12 injections of Buprenorphine containing 2 ml each, was granted regular bail after having put in about three months in custody.

Learned State counsel, upon instructions from ASI Satnam Singh, contends that 03 out of 08 prosecution witnesses have been examined. He is not involved in any other case.

Heard.

In view of the submissions of learned counsel for the petitioner, the orders of the Coordinate Benches of this Court, the petitioner being in custody for over 01 year and 06 months, not involved in any other case 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

December 03, 2019
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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO