

CRM-M-42108 of 2018

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

CRM-M-42108 of 2018
Date of Decision: 11.01.2019

Shaminder Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. G.S. Sandhu, Advocate, for the petitioner.
Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.94 dated 18.06.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

According to the prosecution, petitioner was found in conscious possession of 2500 tablets of Clovidol-100 SR containing Tramadol Hydrochloride salt. Besides, during investigation 3500 tablets containing Tramadol Hydrochloride salt were also recovered, which falls under the commercial quantity.

Learned counsel for the petitioner *inter alia* contends that petitioner has falsely been implicated in the present FIR. Nothing was recovered from the possession of the petitioner. Treating the case of the petitioner on the same parity as that of his co-accused namely, Davinder

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Kumar, who has been granted regular bail by this Court vide order dated 31.08.2018 passed in CRM-M-37097 of 2018, he may also be enlarged on bail. He is in custody since 18.06.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case and treating the case of the petitioner on the same parity as that of his co-accused, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

January 11, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No