

Sr. No.211

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

CRM-M-22291-2019

Date of decision:21.05.2019

Beant Singh

..... Petitioner

versus

State of Punjab

..... Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.68, dated 22.03.2019 for the offences punishable under Section 21 of NDPS Act, registered at Police Station City Moga, District Moga.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted, as were the three other cases, in which the petitioner already stands acquitted. The allegation of the police against the petitioner is that he was possessing 8 grams of heroin. Even this alleged recovery from the petitioner is marginally higher than the small quantity prescribed for the substance. The petitioner is in custody since 22.03.2019. the petitioner is not required for any investigation purposes. Hence the petitioner deserves to be released on bail pending trial.

On the other hand, learned State counsel being instructed by ASI Amrik Singh, submits that petitioner is habitual offender, found repeatedly involved in similar cases. However, it is not disputed that the

alleged recovery in this case is only 8 grams of alleged heroin. It is also not disputed that the petitioner has already been acquitted in similar three other cases. It is also not denied that petitioner is in custody since 22.03.2019. The petitioner is not required for any investigation purposes

In view of the above, but without commenting upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

21st May, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*