

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

**Criminal Misc. No. M-47750 of 2018
Date of decision: 25.01.2019**

Gurjant Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. K.S. Brar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.30 dated 31.03.2018 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. The alleged recovery is 275 gms of heroin, which is marginally more than the non-commercial quantity. No other case under the NDPS is there against the petitioner. The petitioner is in custody since 31.03.2018. Trial may take long time to conclude as even a single witness has not been examined so far. No purpose would be served by keeping the petitioner in custody. All the witnesses are Police officials and there is no possibility of tampering with the evidence or influencing the witnesses.

Learned State counsel has not disputed the custody period as

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well as stage of trial.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering the submissions made by learned counsel for the petitioner that the petitioner is in custody since 31.03.2018; the fact that even a single witness has not been examined; all the witnesses are Police officials and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence; no other case under the NDPS Act is there against him; the trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Gurjant Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

25.01.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No