

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

CRM-M-26496-2019

Date of Decision: September 18, 2019

Gagandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Vipul Jindal, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab..

Shekher Dhawan, J.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No. 74, dated 12.07.2017, under Sections 21/29 of NDPS Act, registered at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case for alleged recovery of 100 grams of heroin, though no recovery was effected from the present petitioner. The petitioner is in custody since 06.09.2017 and trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel, on instructions from ASI Jaswant Singh, affirmed the period of custody and the fact that the recovery was not effected from the present petitioner. However, he opposed the bail

application on the ground that one more case under the NDPS Act is pending against the petitioner.

Having considered the submissions made by learned counsel for the parties, at this stage, without commending anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 06.09.2019 and no recovery was effected from the present petitioner; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner – Gagandeep Singh, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of the concerned trial Judge/Chief Judicial Magistrate/Duty Magistrate.

September 18, 2019
vkd

(Shekher Dhawan)
Judge

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No