

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

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CRM-M-23757-2019

Date of decision : 16.12.2019

Sushil Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Abhishek Sanghi, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.15, dated 30.01.2019, under Section 22 of the NDPS Act, registered at Police Station Guru Harsahai, District Ferozepur.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he was found in possession of tablets with a total weight of 531 grams Tramadol. Tramadol has been brought under the NDPS Act only w.e.f. 26.04.2018, prior to this, it did not constitute an offence under the NDPS Act. He also contends that the petitioner is in custody for about 11 months and is not involved in any other case under the NDPS Act. He has relied upon the judgment of Coordinate Benches of this Court in the case of **Kashmir Singh vs. State of Punjab**, in CRM-M-7437 of 2019, decided on 21.02.2019, the petitioner therein had been granted regular bail as he was in custody for over seven months and the judgment in the case of **Karaj Singh vs. State of Punjab**, in CRM-M-23811 of 2018, decided on 09.07.2018, the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel, upon instructions from ASI Bhola Singh, states that 01 out of 09 prosecution witness has been examined.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner is in custody for about eleven months, he is not involved in any other case under the NDPS Act, the judgements of the Coordinate Benches of this Court and the conclusion of the trial is likely to take sometime, 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 instant 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.

(ANUPINDER SINGH GREWAL)
JUDGE

December 16, 2019

sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No