

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

**Criminal Misc. No. M-52126 of 2018
Date of decision: 11.03.2019**

Jugraj Singh alias Jagga

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Ruhani Chadha, Advocate for
Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, 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.68 dated 19.07.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Tarsikka, District Amritsar Rural.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. The bail application has been dismissed by the trial Court only on the ground that a number of cases are there against the petitioner whereas out of total four cases, in two cases, the petitioner has been acquitted and in one case, he has undergone the sentence. Learned counsel further submits that one more case is also pending against the petitioner but not of NDPS Act and the petitioner is on bail in that case. Learned counsel also submits that all the witnesses are official witnesses and there is no possibility that the

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petitioner may influence the witnesses or tamper with the evidence. The alleged recovery effected from the petitioner is *Alprazolam* and on weighing, the same comes to 7.15 gms, which is non-commercial. The petitioner is in custody since 19.07.2018.

Learned State counsel has not disputed the custody period as well as the alleged recovery, which is non-commercial and also status of pending cases against the petitioner.

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 fact that the petitioner is in custody since 19.07.2018; the alleged recovery is non-commercial; all the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence; trial may take time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Jugraj Singh alias Jagga) is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

11.03.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No