

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

**CRM-M No. 30466 of 2019
Date of Decision:-25.07.2019**

Gobind Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Gobind Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.43 dated 08.4.2018, under Section 22 of NDPS Act, registered at Police Station Longowal, District Sangrur. The petitioner is in custody from 06.6.2019.

As per FIR, on 08.4.2018 when the police party in connection with patrolling and checking of suspicious persons, was present on the side of pavement of minor canal in the revenue limits of village Kunran on the link road going from village Kunran to Longowal, then from the side of village Duggan, one motor-cycle was seen coming and two persons were riding it. On seeing the police party, the said persons in fear tried to turn

the motor-cycle back but they were apprehended by the police. On search as per rules, 15 injections mark BUPRENORPHINE INJECTIONS I.P. OMGESIC were recovered from co-accused Simratpal Singh @ Shammi from right side pocket of the kurta, which he was wearing. From the search of accused Gobind Singh (petitioner) 15 injections mark BUPRENORPHINE INJECTIONS I.P. OMGESIC were also recovered from the right pocket of his trouser.

Learned counsel for the petitioner contends that the concession of interim bail was extended to the petitioner by the trial Court vide order 12.6.2018 as the FSL report was not filed before the Court alongwith the final report. He submits that the petitioner remained on interim bail approximately for a period of one year and he surrendered on 06.6.2019 after filing of FSL Report. It is contended that the petitioner never misused the said concession and is not involved in any other case of similar nature.

On the other hand, learned State counsel, who is assisted by ASI Ram Singh, has opposed the prayer on the ground that commercial quantity of narcotic substance was recovered from the petitioner. However, the concession of interim bail was not misused by the petitioner.

Considering the above background and the fact that the trial is likely to consume some time as the prosecution has not examined any witness so far, no useful purpose will be served by detaining the petitioner any further in custody. Resultantly, without commenting anything upon merits of the case, the petitioner, namely, Gobind Singh is ordered to be released on regular bail subject to his furnishing the requisite bail bonds and

surety bonds to the satisfaction of the trial Court.

The petition is allowed.

July 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No