

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36029-2019 (O&M)
Date of decision: 03.12.2019

Prem Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.41 dated 20.04.2019 under Section 22 of NDPS Act, registered at Police Station Khanauri, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner was apprehended by the police party, while he was coming on a motorcycle. It is further stated in the FIR that the petitioner was carrying a polythene bag on the handle of the motorcycle, which got torn and strips of intoxicant tablets came out and some were recovered. It is further submitted that in such circumstances, it is a matter of trial whether the proper procedure for effecting the recovery was followed or not. Learned counsel further submits that the petitioner is in custody for the last more than 07 months; he is first offender; he is not involved in any other case and the trial is

yet to begin, as no prosecution evidence has been recorded so far.

Learned State counsel, on the basis of custody certificate, has not disputed the factual position.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 21.04.2019; he is first offender and is not involved in any other case and conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

03.12.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No