

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

**CRM-M No. 37961 of 2019
Date of Decision:-30.09.2019**

Gurjeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Arpandeeep Narula, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner-Gurjeet Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 31 dated 12.2.2019, under Section 22 of NDPS Act, registered at Police Station Sadar Sirsa, District Sirsa. The petitioner is in custody since his arrest on 12.02.2019.

As per FIR, on 12.2.2019 when the police party headed by ASI Tarsem Singh was on patrolling at Kanganpur turn, in the area of village Begu, one person was seen coming on a motor-cycle from the side of

Chopta Road. A polythene was hanging on his motor-cycle. On seeing the police party he tried to turn back his motor-cycle but it stopped and he was apprehended. On inquiry he disclosed his name as Rajender and on search of polythene, 40 strips of 10 capsules each of Tramadole Parvorin Spas Ridley, total 400 capsules were recovered. In his disclosure statement he stated that the recovered contraband was purchased from the petitioner-Gurjeet Singh.

Learned counsel for the petitioner contends that the petitioner was indicted on the basis of statement given by co-accused Rajender, from whom the alleged recovery of contraband was effected. It is further contended that the concession of interim bail was extended to the petitioner on 29.3.2019 and after receipt of the FSL report, he surrendered on 29.7.2019. According to him the said concession was never misused by the petitioner. He submits that investigation of the case is also complete and his further custody may not be necessary.

The State counsel assisted by ASI Banwari Lal does not dispute the factual aspect and contends that the recovery effected from the co-accused was commercial in nature. It is further stated by him that the petitioner is involved in one another case under the Excise Act, which is pending.

Considering the above background of the case and the fact that trial is likely to take considerable time to conclude, further custody of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case petition is allowed and the petitioner is

ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Sirsa.

The petition is allowed.

September 30, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No