

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

**224A**

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**CRM-M No. 40051 of 2019  
Date of decision : 28.11.2019**

**Harpreet Singh**

**.....Petitioner**

**Vs.**

**State of Punjab**

**.....Respondent**

**Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Mikhail Kad, Advocate, for the petitioner  
Mr. Harbir Sandhu, AAG, Punjab

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**Rajbir Sehrawat, J. (Oral)**

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 6 dated 13.1.2019, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act), Police Station Dirba, District Sangrur.

It is contended by learned counsel for the petitioner that there is no recovery from the petitioner. The only allegation against the petitioner is that he was travelling in Honda City car along with co-accused, from whom 700 tablets of colvidol-100 SR containing tramadol, were found. The petitioner is in custody since 13.1.2019. Challan has already been filed. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State, being instructed by HC Sunil Kumar, submits that there is huge recovery of contraband from the co-accused. The petitioner was also travelling in the same vehicle. Therefore, there is presumption against the petitioner as well. However, it is not disputed that the petitioner is in custody since 13.1.2019 and that challan has already

been filed.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

**(RAJBIR SEHRAWAT)**  
**JUDGE**

**28.11.2019**

*Ashwani*

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|-------------------|---|--------|
| Speaking/Reasoned | : | Yes/No |
| Reportable        | : | Yes/No |