

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

225

CRM-M-40426-2019 O & M)
Date of Decision:25.09.2019

Ram Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naresh Jain, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.113 dated 22.07.2019, under Section 21 of the NDPS Act, 1985, registered at Police Station Sadar Malout, District Sri Muktsar Sahib.

The prosecution case is that the petitioner was sitting on the railing of water course and was carrying a black colour polythene bag. On seeing the police party, he threw the said polythene bag and tried to run away. On this, the police party apprehended the petitioner on the spot. Upon search of the said polythene bag, 15 grams of heroin was recovered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that the mandatory provisions of NDPS Act was not complied with. He further contends that the petitioner was found in possession of 15 grams of heroin, which is of non-commercial quantity, therefore, the petitioner is entitled for regular bail.

On the other hand, learned State counsel assisted by ASI Sukhpal Singh has opposed the bail application on the ground that the petitioner was involved in another case of similar nature. He further submits that the investigation in the case is complete and challan stands filed.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

25.09.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No