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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41962-2019

Date of decision-03.10.2019

Raeis Khan

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasdeep Singh, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab assisted by
ASI Krishan Chand.

MANOJ BAJAJ, J.

Petitioner-Raeis Khan has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.15 dated 17.01.2019 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act at Police Station City Zirakpur, District SAS Nagar.

On 17.01.2019, when the police party was on checking at Bypass road near Dream Resort, Chatt, at about 6.00 p.m., one young man was seen coming who on seeing the police, tried to run away. On suspicion, he was apprehended and after following the procedure his search was conducted and 3 vials of Qrex cough syrup, 03 vials of Restcof cough syrup and 16 vials of Rex-cough syrup were recovered from his possession.

Learned counsel for the petitioner contends that as the FSL report was awaited, therefore, interim regular bail was extended to him vide

order dated 11.03.2019. He submits that after completion of investigation, the final report was submitted on 31.05.2019 and the charges were framed against the petitioner on 01.06.2019. He further contends that it was on 16.09.2019, the petitioner was taken into custody on the ground that due to oversight and inadvertence, the bail application of the petitioner filed under Section 439 Cr.P.C remained pending. It is contended that the said concession was never misused and the petitioner was appearing before the trial Court regularly. It is further pointed out that no other case is pending against the petitioner.

On the other hand, learned State counsel assisted by ASI Krishan Chand opposed the bail application, however, it is not disputed that that concession was not misused and there is no other case against the petitioner.

Considering the above background and the fact that the trial of the case is likely to consume considerable time, further custody 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.

(MANOJ BAJAJ)
JUDGE

03.10.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No