

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

**CRM-M No. 45163 of 2019
Date of Decision:-29.10.2019**

Gurdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Deepak Bhardwaj, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab

MANOJ BAJAJ J.(Oral)

Petitioner-Gurdeep Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 0093 dated 15.7.2019, under Section 22-61-85 of NDPS Act, 1985, registered at Police Station Chamkaur Sahib, District Rupnagar. The petitioner is in custody since his arrest on 15.7.2019.

As per FIR, on 15.7.2019, when the police party during patrolling in connection with detaining of suspicious persons, was present at Sarhand Canal Bridge towards village Bhojemajra side and checking the vehicles, then at around 5.45 p.m., a car Indigo ECS LX bearing registration No.PB-70-A-3458 was stopped for checking. During checking, 13 injections ampoules of 2 ml each (total 26 ml) were recovered.

Learned counsel for the petitioner contends that the quantity of

recovered contraband is 26 ml, which is marginally over and above the non-commercial quantity i.e. 20 ml. He further contends that challan has already been presented and charges have been framed on 15.10.2019. According to him, the prosecution evidence is yet to start and it will take considerable time. It is also not disputed that the petitioner is not involved in any other case much less under the NDPS Act.

On the other hand, learned State counsel assisted by HC Bhupinder opposed the bail application. It is contended that the commercial quantity of the contraband was recovered from the petitioner. However, it is not disputed that after framing of charges on 15.10.2019, the evidence of prosecution is yet to start.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody 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, Rupnagar.

The petition is allowed.

October 29, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No