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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47948-2019

Date of Decision: 18.11.2019

Beera Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Shailendra Sharma, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner Beera Singh has filed this second petition under Section 439 Cr.P.C. read with Section 482 Cr.P.C. for grant of regular bail in a case FIR No.76 dated 04.05.2019, under Section 22 NDPS Act, 1985, registered at Police Station Sadar Sangrur. He is in custody since his arrest on 04.05.2019.

As is revealed from the FIR, on 04.05.2019, at about 5:00 P.M. when SI Paramjit Singh along with other police officials were present at 'T' point Kulra Link Road in the area of Kheri in connection with patrol duty, he received a secret information regarding sale of intoxicants by Lakhwinder Singh @ Kalu @ Sandy and Beera Singh, on the basis whereof, 600 and 450 intoxicating tablets make Clovidol 100 SR were recovered from their possession respectively.

Learned counsel for the petitioner contends that the petitioner is an old person of 76 years and he is not involved in any other case. He further submits that the investigation of the case is complete and the trial is likely to consume time, therefore, further custody of the petitioner may not

be necessary.

On the other hand, learned State counsel assisted by ASI Jasmit Singh has opposed the prayer on the ground that the petitioner is named in the FIR and the alleged recovery effected from him falls within the ambit of commercial quantity. However, it is not disputed that the petitioner is not involved in any other case.

Considering the advanced age of the petitioner, his custody period and the fact that he is not involved in any other case and the trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, 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.

18.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No