

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

207

CRM-M-46318 of 2019

Date of decision: 17.12.2019

Jagsir Singh @ Seera

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Monty Goyal, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

ASHOK KUMAR VERMA, J.(ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner, in case FIR No.50, dated 26.02.2018, under Section 18 & 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Samrala District Khanna, District Ludhiana.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 3 kgs of opium was recovered from the petitioner. He further submits that the police officials never attempted to join any independent witness in the investigation despite sufficient time for the same and no notice was served upon the present petitioner before searching him. The petitioner is in custody since 26.02.2018. He has also relied upon the judgments of a Coordinate Bench of this Court in the cases of **Vadhawa Ram vs. State of Punjab**, in CRM-M-24344 of 2014,

decided on 22.08.2014 and Kamlesh vs. State of Punjab, in CRM-

M-14029 of 2015, decided on 06.05.2015, wherein the petitioners therein were found in possession of 2 kg. and 600 grams of opium, were granted regular bail by after they had put in 05 months and 09 months in custody respectively. The trial of the case is likely to take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case, I deem it as fit case to grant the concession of regular bail to the petitioner.

On the other hand, learned State counsel, upon instructions from ASI Shingara Singh has submitted that the petitioner is accused of having committed serious offences by keeping commercial quantity of the contraband in his conscious possession along with his co-accused.

Without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing adequate bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

The petition stands disposed of accordingly.

December 17, 2019

Poonam Sharma

**(ASHOK KUMAR VERMA)
JUDGE**

*Whether speaking/reasoned:
Whether reportable:*

*Yes/No
Yes/No*