

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

**CRM-M No. 48237 of 2019 (O&M)
Date of decision: - 19.11.2019**

GURJIT SINGH @ BITTU

...Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. B. S. Bhalla, Advocate for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 0066 dated 18.03.2018 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station South City Moga, District Moga.

Heard.

Learned counsel for the petitioner contends that the alleged recovery from the petitioner is 260 grams of intoxicant powder containing salt of Alprozolam and as per the FSL report only 0.13% mg. of Alprozolam is found in the recovered powder.

Learned counsel for the petitioner has relied upon the judgment of this Court dated 10.10.2018 passed in **CRM-M-43976-2018 titled as Ranjit**

Kaur @ Rani Vs. State of Punjab.

The custody certificate by way of affidavit of Rajdeep Singh Brar, PPS, Deputy Superintendent, Central Prison, Faridkot, filed by the learned State counsel in the Court today, is taken on record. As per the custody certificate the petitioner has undergone 1 year 8 months. It has been brought to the notice of this Court that till now out of 12 prosecution witnesses, only 4 witnesses have been examined.

It has also been pointed out by the learned State counsel that the petitioner has been acquitted in one case and 3 more cases are pending against him.

In view of the above, without commenting anything on the merits lest, it should prejudice the case either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(HARNARESH SINGH GILL)
JUDGE

19.11.2019

Mangal Singh

Whether reasoned/speaking?	Yes
Whether reportable?	No