

CRM-M-12089 of 2019

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

CRM-M-12089 of 2019
Date of Decision: 20.03.2019

Shinder Pal @ Shinda @ Rok

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Ashok Giri, Advocate, for the petitioner.
Ms. Sudeepti Sharma, Addl. A.G., Punjab.

RAMENDRA JAIN, J. (ORAL)

Custody certificate filed in Court today is taken on record.

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.9 dated 14.01.2019 registered under Sections 392, 379-B IPC, Sections 21, 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 25 of the Arms Act at Police Station Adampur, District Jalandhar Rural.

According to the prosecution, on 14.01.2019 petitioner was apprehended with conscious possession of 30 grams of heroin.

Learned counsel for the petitioner *inter alia* contends that petitioner has falsely been implicated in the aforesaid FIR. Alleged recovery of 30 grams of heroin from the petitioner falls under the category of “non-commercial quantity”. Petitioner is in custody since 14.01.2019.

He is the first offender. Conclusion of trial may take a sufficient long time.

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No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

March 20, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

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