

205

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51374-2019
Date of decision-20.12.2019

Vinod Kumar Jindal

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.S.Brar, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Vinod Kumar Jindal has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.116 dated 28.05.2018 registered under Sections 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Kotwali, Bathinda, District Bathinda.

On 28.05.2018, when the police party was on patrol duty at Street No.3, Bathinda Goniana Road at about 5.15 p.m., then one person was seen coming from front street who was carrying one blue colour bag on his head and white colour plastic bag in his right hand. On seeing the police, he tried to run away. On suspicion, he was apprehended and after following the procedure, his search was conducted and 48000 tablets of Digifresh, 3180 tablets of Tramadol and 340 injections containing 1689.99 grams Tramadol Hydrochloride and 6080.44 grams of Alprazolam were recovered from petitioner's possession.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He contends that the charges in the present case were framed on 03.12.2018 and till date only one witness has been examined out of total 10 prosecution witnesses. He further contends that there is no other case against the petitioner.

On the other hand, learned State counsel assisted by ASI Gurmukh Singh opposed the prayer on the ground that the recovered contraband falls within the ambit of commercial quantity. However, it is not disputed that there is no other case against the petitioner much less of the similar nature.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time as the prosecution is yet to examine its witnesses, 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.

(MANOJ BAJAJ)
JUDGE

20.12.2019

vanita

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