

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53891-2019

Date of Decision: 20.12.2019

Gagandeep Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioners Gagandeep Singh and Bhinda Singh have filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.195 dated 02.12.2019, under Sections 21 and 27 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Malout, District Sri Muktsar Sahib. They are in custody since their arrest on 02.12.2019.

As per the case of the prosecution, on 02.12.2019, when the police officials were on patrolling duty and going from Malout to Abohar GT road in the area of Village Bhagwanpura, they saw one grey car bearing No.JK 02 SJ 1749 was parked and on checking, two persons were sitting in the car. Accused Gagandeep Singh @ Gagan was sitting on the driver seat and consuming intoxicants and Bhinda Singh was sitting on the adjacent seat. On search, 14 grams of heroin, one lighter, label and ten rupees burnt currency notes were recovered from them.

Learned counsel for the petitioners contends that recovery of

within the ambit of non-commercial quantity. He submits that investigation of the case is pending and the trial of the case is likely to consume some time, therefore, further custody of the petitioners may not be justified.

On the other hand, learned State counsel assisted by ASI Amrik Singh, has opposed the prayer, however he does not dispute the fact that the alleged recovery falls within the ambit of non-commercial quantity.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioners may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Sri Muktsar Sahib.

The petition is allowed.

20.12.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No