

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7049-2020

Date of Decision: 24.02.2020

Sunny

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Varinder Basa, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, Asstt. A.G, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.114 dated 28.07.2019, under Sections 21, 22, 29 and 61 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Batala, District Gurdaspur. He is in custody since his arrest on 31.08.2019.

As per case of the prosecution, on 28.07.2019, recovery of 05 grams heroin and 250 intoxicant tablets was effected from accused Harjit Singh @ Gaurav, Monu and Karan Khosla in the area of Ambedkar Chowk Kapoori Gate, Batala.

Learned counsel for the petitioner has contended that recovery of 05 grams heroin and 250 intoxicant tablets was effected from co-accused Harjit Singh @ Gaurav, Monu and Karan Khosla and the petitioner was indicted as an accused on the basis of disclosure suffered by the said co-accused on the ground that the alleged contraband was purchased from the petitioner. He submits that the trial is likely to consume considerable time

and in the given facts, his further custody may not be necessary.

On the other hand, learned State counsel assisted by ASI Balbir Singh, has opposed the prayer on the ground that two more cases are pending against the petitioner. However, it is not disputed that no recovery was effected from him and the investigation of the case is complete.

Considering the above, the custodial period of the petitioner and keeping in view the fact that the trial of the case is likely to consume considerable time to conclude, therefore, further detention 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 Gurdaspur.

The petition is allowed.

24.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No