

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-7818 of 2020

Date of Decision: 17.08.2020

Karamjit @ Bobby

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ashok Giri, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.219 dated 19.06.2019 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “the NDPS Act”) registered at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the petitioner has argued that the allegation against the petitioner is that he was found in possession of 18 injections of Buprenorphine of 2 ml each and 18 injections of Avil of 10 ml each. He has submitted that the salt Avil does not fall under the category of

NDPS Act. There is no other case pending against the petitioner and he is in custody since 19.06.2019.

Learned State counsel has filed the custody certificate through email and does not dispute the custody of the petitioner.

I have heard learned counsel for the parties.

The alleged recovery made from the petitioner was 18 injections of Buprenorphine of 2 ml each. Though 18 injections of Avil of 10 ml each were also recovered from the petitioner, but the same do not fall within the ambit of NDPS Act. There is no other case pending against the petitioner and he is in custody since 19.06.2019. Considering the fact that trial in the case will take sufficient long time, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

August 17, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No