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

**CRM-M No.9219 of 2020
Date of Decision: 06.03.2020**

CHANDAN KUMAR PASWAN

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Kapil Khanna, Advocate
for the petitioner.

Mr. J.S. Ghumman, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.186 dated 28.11.2019, registered under Section 18 of the NDPS Act at Police Station Division No.6, Jalandhar.

Recovery is of 1 kg. 500 grams of opium from the petitioner. FIR was registered at Police Station Division No.6 Jalandhar against two persons on the basis of secret information. The allegations are that petitioner used to supply opium after buying the same from Jharkhand. He used to sell the opium at Jalandhar and Ludhiana. On the basis of secret

information, a naka was laid and the petitioner was arrested. During his search, the recovery of 1 kg. 500 grams of opium was effected from his possession.

During interrogation, the petitioner informed that he was going to supply half of the contraband to Bharat Bhushan son of Satpal. Co-accused has already been granted bail by the Court of Sessions vide order dated 10.01.2020.

Learned counsel for the petitioner submitted that the petitioner is not involved in any other case. Recovery is of non-commercial quantity. Challan has been presented. Charges have not been framed so far.

Learned State counsel on instructions from ASI Heera Singh admitted the aforesaid factual position with reference to the entries in the custody certificate, wherein no other case is shown against the petitioner.

Since recovery is of non-commercial quantity and the trial of the case may take some time in its conclusion, therefore, at this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 28.11.2019.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing heavy

bail bonds/surety bonds to the satisfaction of the trial Court. The trial Court would be at liberty to record satisfaction on the basis of two local sureties of the like amount.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 06, 2020	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No