

Sr.No.209

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

CRM-M-16124-2019

Date of decision:27.01.2020

Jagjit Singh @ Jaggi

... Petitioner(s)

versus

State of Punjab

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Ankur Bansal, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed for seeking regular bail in FIR No.145, dated 25.05.2017 for the offences punishable under Sections 409, 380, 120-B IPC and Sections 22, 29 of NDPS Act registered at Police Station Nakodar Sadar, District Jalandhar.

It has been vehemently argued by learned counsel for the petitioner that in the present case the charges before Trial Court were framed on 23.10.2017, out of 19 witnesses only 08 witnesses have been examined and delay is on the part of the State, therefore, life and liberty of the petitioner can not be jeopardised on this ground. He has further submitted that even on merits of the case, there were alleged recovery of 300 tablets of Buprenorphine from the petitioner and still further he has submitted that as per the report of the FSL, the quantity of the prohibited substance found in the entire recovery is only 0.594 grams which according to learned counsel for the petitioner is less than the small quantity. He has further submitted that co-accused Maninder Singh has already been granted

bail by this Court vide order dated 02.12.2019 in CRM-M-49663-2019.

On the other hand, learned State counsel on instructions from ASI Shelinder Singh has submitted that although 08 witnesses out of 19 witnesses have been examined and charges have been framed on 23.10.2017 but the present case is under the NDPS Act and serious matter, therefore, he has opposed the bail application of the petitioner. He has further submitted that no other case is against the petitioner.

I have heard the learned counsel for the parties and after perusing the available record, it appears that the custody period of the petitioner which is stated by learned counsel for the petitioner is about 2½ years i.e. from 25.05.2017 has not been disputed by the learned State counsel. It is also not disputed that charges in the present case has been framed on 23.10.2017, total alleged recovery from the petitioner is of 300 tables of Buprenorphine and according to the report of the FSL the total quantity of the prohibited substance was found to be 0.594 grams.

Keeping in view the above facts and without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is granted the concession of regular bail. He be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

27th January, 2020
Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*