

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

CRM-M-17939-2020(O&M)

Date of decision: - 04.08.2020

Amarjit Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Petitioner has filed this 3rd petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 87 dated 08.05.2018 registered under Section 22 of NDPS Act at Police Station City Moga, District Moga.

Learned counsel for the petitioner states that the recovery effected from the petitioner is 111.1 grams of Alprazolam salt, which is marginally higher than the commercial quantity. The petitioner has been in custody since 08.05.2018.

Copy of custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Faridkot, submitted by the learned State counsel is taken on record. He points out that though the petitioner has been

in custody since 08.05.2018, yet two other cases stood registered against him. Out of the said two cases, the petitioner has already been granted bail in FIR No. 15 dated 15.06.2016 registered under Section 21 of NDPS Act, at Police Station Fatehgarh Panjtoor, whereas in the other case FIR No. 70 of 2014 registered under Sections 363, 366, 376 and 511 at Police Station, Fatehgarh Panjtoor, he has since been acquitted. Out of total 12 prosecution witnesses, only 2 witnesses have been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.05.2018, the recovery effected from the petitioner is marginally above than the commercial quantity, the trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

04.08.2020
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No