

CRM-M-19448-2020 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(PROCEEDINGS THROUGH V.C.)

CRM-M-19448-2020 (O&M)

Date of Decision: August 6th, 2020

Manpreet Singh @ Mani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present Mr. Raman Goklaney, Advocate
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.160, dated 15.05.2020, registered at Police Station City Ferozepur, District Ferozepur, under Sections 18, 21 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

It is the contention of the learned counsel for the petitioner that 20 grams of heroin and 250 grams of opium stand recovered from the petitioner. Both these recoveries are non-commercial in nature. His contention is that till date, no FSL report has been received. The quantity being non-commercial and the petitioner being in custody w.e.f. 15.05.2020, more than two months have passed. No useful purpose would be served by keeping the petitioner in custody further especially when there is no other

case against him. He, thus, prays that the concession of regular bail be granted to the petitioner.

On the other hand, learned counsel for the State submits that although there is no other case against the petitioner but the recovery which has been effected from the petitioner indicates that he had been involved in the narcotic trade as both heroin and opium has been recovered from him. He, thus, contends that the concession of regular bail be not granted to the petitioner.

Having considered the submissions made by the learned counsel for the parties and keeping in view the quantity which has been recovered from the petitioner as also that there is no other case against him except for the present one, no useful purpose would be served by keeping the petitioner in custody further especially when the trial is not likely to conclude in near future, this criminal miscellaneous petition is allowed. Petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

August 6th, 2020
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No