

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

(Heard through VC)

CRM-M-19965 of 2020 (O&M)
Date of Decision: August 10, 2020

Suraj Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.B. Raheja, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.09 dated 09.02.2020, under Sections 22, 25 and 29 of NDPS Act, registered at Police Station Lakho Ke Behram, District Ferozepur.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 09.02.2020. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that the Judge Special Court, Ferozepur has illegally declined bail to the present petitioner by holding that a heavy recovery of 3000

intoxicant tablets has been recovered from the petitioner whereas, in fact, the police file would itself reveal that 2500 intoxicants tablets were recovered from one of the co-accused namely Surinder Singh and 500 intoxicant tablets of Lomotil were recovered from the present petition. It is also argued that alleged recovery cannot be said to be joint, as such, the recovery allegedly made from the petitioner does not fall under commercial quantity. It is also contended that investigation is complete, as the challan has already been presented, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of the respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. However, she does not dispute the fact that challan has already been presented in the matter.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time to conclude and in view of the facts that the petitioner herein has been in custody since 09.02.2020 and that investigation is complete as the challan has already been presented, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the

same shall have no affect on the merits of the case.

August 10, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No