

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20075-2019

Date of Decision: 20.01.2020

Mohd. Aamir @ Bawa @ Baba

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Sunny K. Singla, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Mohd. Aamir @ Bawa @ Baba, has prayed for grant of regular bail in case FIR No. 98 dated 12.08.2018, under Sections 21 and 25 of the NDPS Act at Police Station City-II, Malerkotla, District Sangrur.

Learned counsel for the petitioner, while, drawing attention of this Court to the cross-examination of PW-1 DSP Rajesh Snehi, Gazetted Officer, submits that 260 gms of contraband allegedly recovered from the petitioner includes the weight of wrapper of 35 capsules. In case, the said weight is excluded, the contraband allegedly recovered from the petitioner may fall below the commercial quantity. Petitioner is in custody 12.08.2018. Conclusion of trial may take a long time, inasmuch as, out of total 15 prosecution witnesses, only 4 have been examined. No useful purpose would be served by detaining him in jail.

Nothing has to be recovered from him.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Mohd. Aamir @ Bawa @ Baba, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

January 20, 2020
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(RAMENDRA JAIN)
JUDGE

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