

CRM-M-20927-2020

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

CRM-M-20927-2020

Date of Decision: 28.08.2020

Kirandeep Singh @ Onker

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. G.S.Sandhu, Advocate,
for the petitioner.

Mr. S.S.Deol, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Short reply dated 26.08.2020 by way of affidavit of the Deputy Superintendent of Police, Balachaur, District SBS Nagar, filed with the Registry, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.54 dated 07.08.2019, registered at Police Station City Balachaur, District SBS Nagar, under Sections 21 and 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that as per the prosecution version, the petitioner was riding pillion on a motor-cycle and had thrown a white-coloured polythene bag on the road side and 15-gram of heroin was recovered from the said polythene and that the aforesaid recovery falls in non-commercial quantity.

On the other hand, learned State counsel opposes the prayer

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made in the present petition, but he does not dispute that the recovery effected from the petitioner falls in non-commercial quantity. He also submits that there were two other FIRs registered against the petitioner in which he had been acquitted. He also submits that 03 witnesses, out of 11 prosecution witnesses, have been examined.

I have heard the learned counsel for the parties.

As noticed above, recovery of 15-gram of heroin effected from the petitioner falls in non-commercial quantity. The petitioner has been in custody since 07.08.2019. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping him behind the bars.

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

28.08.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No