

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2020/09/24 15:18
I attest to the accuracy and
authenticity of this document

CRM-M-28961-2020

Date of decision : 24.9.2020

Manjinder Singh alias Mintu

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. D.S. Pheruman, Advocate
for petitioner.

Mr. V.G. Jauhar, DAG Punjab.

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HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 21, dated 18.2.2020, registered under Section 21 of NDPS Act, 1985, at P.S. Sirhali, Tarn Taran.

As per allegations in FIR, 260 grams heroin packed in a polythene bag was recovered from possession of petitioner.

More than 250 grams heroin is in commercial category. In the present case, heroin has been weighed alongwith polythene bag. There is nothing on record to indicate the weight of polythene bag. It is possible that if polythene bag is weighed separately, recovery may have been non commercial. Investigation in case is complete and challan has been filed.

Without commenting anything on merit of case and also bearing in mind the fact that petitioner is in custody since 18.2.2020 and trial of case may take a long time, no useful purpose will be served by detaining petitioner behind bars till the conclusion of trial. Accordingly, petition is allowed. Petitioner Manjinder Singh alias Mintu is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, if petitioner indulges in any activity of similar nature, while on bail, prosecution agency will be at liberty to seek cancellation of order granting bail to petitioner.

(HARINDER SINGH SIDHU)
JUDGE

24.9.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No