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

CRM-M No. 50556 of 2019

Date of Decision: 21.07.2020

Manjeet Singh @ Jeeta

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. D.N. Ganeriwala, Advocate,
for the petitioner.

Mr. A.P.S. Gill, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.102 dated 15.10.2019 registered under Sections 21, 22 of NDPS Act at Police Station Sadar Banga, District SBS Nagar.

The alleged recovery is of 22 grams of Heroine and 15 injections of Buprenorphine each containing 2 ml. Total quantity of Buprenorphine is found to be 30 ml. Commercial

quantity of Buprenorphine injection starts from 20 ml onwards and the alleged recovery is marginally above than the quantity prescribed for commercial category.

In view of nature and quantity of contraband recovered, learned counsel for the petitioner seeks indulgence of this Court.

Per contra, learned State counsel submits that the petitioner is having antecedent behaviour of criminal activity as he was involved in narcotic trades.

On being confronted, learned counsel for the petitioner submits that the petitioner was involved in FIR No.45 dated 05.02.2003 under Section 15 of NDPS Act and was convicted and sentenced to undergo RI for 02 months. The sentence was reduced to the period already undergone. In FIR No.10 dated 12.02.2013, petitioner was convicted and sentenced to undergo RI for one year. The sentence of the applicant-petitioner was suspended vide order dated 08.04.2015 passed in CRA-S No.1134-SB of 2015.

Petitioner is in custody for the last more than 09 months as on date.

Charges have already been framed, but no prosecution witness has been examined so far.

Taking into consideration the aforesaid facts particularly in the light of death of son of the petitioner on 18.12.2019 and the situation arising due to pandemic COVID-19, I deem it appropriate to enlarge the petitioner on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove shall be construed to be an opinion on merits of the case.

July 21, 2020

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No