

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 53262 of 2019
Date of Decision: 27.1.2020**

Sunday @ Chimeka

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Gurjeet Kaur, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 0167 dated 13.8.2019 under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

Custody certificate by way of affidavit of Inderjeet Singh Kahlon, Deputy Superintendent, New District Jail, Nabha has been filed which is taken on record.

Learned counsel for the petitioner submits that the petitioner has been involved in the present case on the basis of disclosure statement suffered by co-accused Jaswinder Singh @ Tony from whom one kilogram of heroin was recovered whereas the petitioner was arrested on 18.8.2019 with 200 grams of heroin which falls under the non-commercial quantity.

Learned State counsel, on instructions from ASI Balwinder

Singh, submits that in the present case, challan has been presented and

charges are yet to be framed. He further submits that petitioner is a foreigner and he may fled from the country.

As per the custody certificate, the petitioner has been in custody since 18.8.2019. Challan has been presented and charges are yet to be framed. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds with one local surety to the satisfaction of the trial Court/Duty Magistrate with a condition that he will surrender his passport before the trial Court.

(HARNARESH SINGH GILL)
JUDGE

January 27, 2020
Gurpreet

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