

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-53653-2019
(Heard through VC)
Date of decision: 13.08.2020

Akshey

....Petitioner

V/s.

State of UT Chandigarh

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Madan Sandhu, Advocate for the petitioner.

Mr. Sumit Jain, APP, U.T., Chandigarh.

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No. 321 dated 18.09.2019 registered under Section 22 of NDPS Act, 1985 at Police Station Sector 39, Chandigarh.

Learned counsel for the petitioner submits that recovery of 15 injections of Bupreomine 2 ml each and 5 injections of Pheniramine Maleate 10 ml each were recovered from the petitioner. He further refers to order dated 10.01.2019 passed by this Court in **CRM-M-55922 of 2018 titled as Raja Babu V/s. State of U.T.** to contend that in similar circumstances, the bail has been granted to the petitioner keeping in view nature of narcotics and period of incarceration already suffered by the petitioner.

Learned counsel for the petitioner further submits that the petitioner is in custody since 18.09.2019.

Learned counsel for the State has emailed custody certificate dated 12.08.2020. As per this custody certificate, petitioner has undergone 10 months and 25 days as on 12.08.2020. He further informs that challan has been presented on 15.02.2020 and charges were framed on 04.03.2020.

Out of 13 witnesses, nobody has been examined till date.

Keeping in view order dated 10.01.2019 passed in similar circumstances and that the trial will take some time for its conclusion, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

13.08.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**