

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

CRM-M-1631 of 2021

DECIDED ON: 26th JULY, 2021

Deepak

.....PETITIONER

VERSUS

The State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. G.S. Bajwa, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed for grant of regular bail in case of FIR No.136 dated 13.12.2019, under Sections 21, 27, 29 of NDPS Act, 1985, registered at Police station STF, SAS Nagar, Mohali.

Police on 13.12.2019, acting on a secret information, apprehended Baljinder Singh @ Sonu and Deepak (petitioner). From the conscious possession of Baljinder Singh @ Sonu, 320 grams of Heroin was recovered. The petitioner was accompanying the co-accused.

Learned counsel appearing for the petitioner submits that the petitioner is in custody since 13.12.2019; no recovery was made from him; he has no criminal antecedents; investigation is complete; challan stands presented and he is not involved in any other case.

Learned State counsel opposes the prayer for grant of bail and on instructions from ASI Rachhpal Singh submits that the recovery from the co-accused was of commercial quantity.

There was no recovery made from the petitioner. As per the case set up, he was accompanying the co-accused. Investigation is complete, challan stands presented on 4.6.2020. Conclusion of trial is likely to take time. No useful purpose would be served by keeping the petitioner behind bars. The petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

26th JULY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*