

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

CRM-M-3055-2021

DECIDED ON: 27th JANUARY, 2021

GAGANDEEP

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Kanwaljeet Singh Brar, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

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

This is a petition for regular bail in case arising from FIR No. 56, dated 31st May, 2020, under Section 22 of the Narcotics Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kot Ise Khan.

On the basis of a secret information on 31st May, 2020 car bearing registration No. PB-04-AA-7094 was checked. Including driver there were three occupants of the car and one of them was petitioner. 650 tablets of Tramadol were recovered from the conscious possession of the petitioner. There were recovery made from the conscious possession of other co-accused also.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and is not involved in any other case. He further submits that challan was presented but charges have not been framed yet.

Learned State counsel opposes the prayer for bail and submits that there were three accused and 650 tablets of Tramadol were recovered from the petitioner; 700 tablets were recovered from Jeet Singh and 300 tablets were recovered from Money. The contention is that the total recovery is much more.

Considering the facts; that recovery from the conscious possession of the petitioner is marginally higher than the commercial; challan has been presented; conclusion of trial will take time; investigation is complete and no recovery is to be made; there is no other case of NDPS is pending against the petitioner, the present petition is allowed. Petitioner is ordered to be released on regular bail subject to his furnishing surety/bail bonds to the satisfaction of learned trial Court/Duty Magistrate.

However, it is clarified that anything stated hereinabove shall not be construed as an expression on the merits of the case and is only for the purpose of deciding the bail application.

27th JANUARY, 2021
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>