

**222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-6838-2021****Date of decision-18.02.2021****Kamal Bedi****....Petitioner****Vs.****State of Punjab****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Mikhail Kaid, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

*********MANOJ BAJAJ, J.**

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.310 dated 11.12.2020 registered under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Sangrur, District Sangrur. The petitioner is in custody since his arrest on 11.12.2020.

As per the prosecution case, on 11.12.2020, when Police officials were patrolling near Ranbir College, one person was seen standing near his motorcycle and one black coloured plastic carry bag was hanging on his motorcycle. On seeing the police, he tried to escape and a bag which was kept on motorcycle, fell down. Thereafter, he was apprehended and disclosed his name as Kamal Bedi (petitioner) and 400 capsules Hyphodek were recovered from the carry bag of the petitioner.

As per the prosecution, disclosure statement of Kamal Bedi was recorded whereupon another accused-Suresh Kumar was indicted and from him separate recovery of 795 tablets was made.

Learned counsel for the petitioner contends that the alleged recovery of 400 tablets were recovered from the petitioner and the same falls

under the non-commercial quantity. The separate recovery was made from co-accused. According to him, the investigation of the case is complete, therefore, his further custody may not be necessary. It is pointed out that the petitioner is not involved in any other case of similar nature. He has prayed that the concession of the regular bail be extended to the petitioner during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Sukhwinder Singh opposed the prayer, however, it is not disputed that the petitioner is not involved in any other case of similar nature. She on instructions further submits that investigation of the case is complete and final report stands filed on 08.02.2021 and the case is fixed for 24.02.2021 before the trial Court for framing of the charges.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete, but the trial is yet to commence, therefore, it is likely to take considerable time to conclude. Admittedly, the petitioner is presently confined in judicial custody since 11.12.2020 and his further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

18.02.2021

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

(MANOJ BAJAJ)
JUDGE

No
No