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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-9712-2021

Date of Decision: 06.09.2021

Karandeep Singh @ Sunny

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
assisted by ASI Harinder Singh.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through video conference.

[2] This petition under Section 439 Cr.P.C. is filed seeking regular bail in F.I.R. No. 279, dated 28th October, 2020, under Sections 21(c), 25 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter 'the Act'), registered at Police Station City Tarn Taran, District Tarn Taran.

[3] As per the case set up, there was chance recovery of 270 grams of heroin from the Karandeep Singh @ Sunny (petitioner) and 150 grams thereof from Joban Singh @ Bikka.

[4] Mr. Ashish Aggarwal, learned counsel for the petitioner contends that recovery is marginally higher than the quantity fixed for

commercial quantity. The petitioner is not involved in any other case under the Act. He further submits that petitioner is in custody since October, 2020 and investigation is complete.

[5] Ms. Monika Jalota, Deputy Advocate General, Punjab opposes the prayer for grant of bail and submits that recovery was of 270 grams of heroin from the petitioner and 150 grams of heroin from the co-accused. Petitioner is involved in another case under Section 379-B IPC.

[6] The recovery is marginally higher than the quantity fixed for commercial quantity. Petitioner is in custody since October, 2020. He is not involved in any other case under the Act. Considering that no recovery is to be effected, investigation is complete and conclusion of trial is likely to take time, the petitioner is granted regular bail subject to furnishing adequate bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[7] The petition is allowed.

[8] It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

6th September, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes