

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 213

CRM-M-8279-2020

Date of decision : 24.09.2021

Vikram

..... Petitioner

VERSUS

State of UT, Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Ashwani Nagra, Advocate, for the petitioner.
Mr.Sumit Jain, Addl.P.P., UT, Chandigarh.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.414 dated 14.11.2019, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sector-39, Chandigarh.

The petitioner is being prosecuted for having been found in illegal possession of 15 injections containing Buprenorphine.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in this case; he is in custody since 14.11.2019; he is not involved in any other criminal case; investigation in this case is complete; the alleged recovery from the petitioner is 30 ml of Buprenorphine which is slightly higher than the prescribed commercial quantity of 20 ml and that the petitioner's trial, which is yet to begin, is likely to take long time to conclude.

Learned counsel for UT, Chandigarh opposes the grant of bail to the petitioner on the ground that the petitioner has been found to be in illegal possession of 15 injections containing Buprenorphine and if released on bail, he may indulge in similar offences.

The petitioner is in custody for the last one year and ten months; he does not have any other criminal case pending against him; investigation in this case is complete and that the petitioner's trial, which is yet to begin, is likely to take long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Chandigarh the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

24.09.2021
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No