

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

CRM-M-15440-2021

Date of Decision: 16.09.2021

Makhan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. This petition under Section 439 of Cr.P.C. is filed for regular bail in FIR No. 0015 dated 18.01.2020 under Section 21 of the Narcotic Drugs and Psychotropic Substance Act, 1985 registered at Police Station Sadar Fazilka, District Fazilka.

2. As per the case set up there was a recovery of 260 gms of Heroine from the petitioner-Makhan Singh.

3. Learned counsel for the petitioner submits that petitioner is in custody since 18.01.2020. Investigation is complete. Challan stands presented. The recovery is marginally higher than commercial quantity.

4. Learned State counsel opposes the prayer for grant of regular bail, she submits that the petitioner is involved in two more cases.

5. Learned counsel for the petitioner submits that there was no recovery from the petitioner in the other two FIRs, he was named in disclosure statement.

6. There is not much progress in the trial. Out of sixteen prosecution witnesses only two have been examined. No recovery was made from the petitioner in other two cases. Recovery in the present case is marginally higher than commercial quantity. The petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that in case petitioner is found involved in any other case on being bail, State would be at liberty to take remedies in accordance with law.

(AVNEESH JHINGAN)
JUDGE

16.09.2021
Parveen Sharma

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