

CRM-M-16146-2021

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

CRM-M-16146-2021

Date of decision:26.10.2021

Lakhvir Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Tarun Kumar, Advocate,
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.93 dated 07.08.2020, registered at Police Station Special Task Force, District STF Wing (Mohali), under Section 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that though recovery of 2400 tablets of Lomotil, containing the salt of Diphenoxylate' allegedly effected from the petitioner, falls under the commercial quantity, yet the fact remains that the petitioner has been in custody since 07.08.2020, and that charges are yet to be framed. In such circumstances, conclusion of the trial would take a long time. Moreover, the petitioner is not involved in any other case, much less of a similar nature.

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On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, submits that the recovery effected from the petitioner falls under the commercial quantity. However, he does not dispute the custody period of the petitioner and the stage of the case, as stated above.

I have heard the learned counsel for the parties.

Challan stands presented. The petitioner has been in custody since 07.08.2020. The charges are yet to be framed. Trial is unlikely to conclude any time soon. The petitioner is not involved in any other case, at least of a similar nature. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

26.10.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No