

222

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

**(Through video-conferencing)**

**CRM-M No.22162 of 2021(O&M)  
Date of Decision: 01.10.2021**

**Bhupinder Singh @ Bhinder**

**.....Petitioner**

**Vs**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Sumeet Puri, Advocate  
for the petitioner.

Mr.C.L. Pawar, Sr. DAG, Punjab.

\*\*\*\*\*

**RAJ MOHAN SINGH, J.(Oral)**

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.06 dated 08.02.2021 registered under Sections 22, 29, 61, 85 of the NDPS Act at Police Station Dharamgarh, District Sangrur.

FIR was registered on the basis of secret information. 900 intoxicant tablets were allegedly recovered in 19 strips each containing 10 tablets.

Learned counsel for the petitioner submits that no batch numbers were found present on the contraband. Only one strip containing 10 tablets was subjected to FSL. Petitioner is

not involved in any other case as per custody certificate produced by learned State counsel. Petitioner is in custody since 08.02.2021. After framing of charges, no prosecution witness has been examined so far.

The assertions made by learned counsel for the petitioner have not been denied by learned State counsel by way of any status report.

Learned counsel for petitioner has laid down a factual foundation of the case in his arguments. Arguments of learned counsel for the petitioner has gone unrebutted in the absence of any status report, for which indulgence was granted by this Court firstly on 06.07.2021 and when learned State counsel sought time to place on record status report, disclosing the police proceedings undertaken after registration of the FIR, the case was adjourned to 05.08.2021. Learned State counsel again sought time to do the needful in the context of order dated 06.07.2021 and the case was adjourned to 26.08.2021. The needful was not done and last opportunity was granted to the State to comply with the order dated 06.07.2021.

Today also there is no compliance of order dated 06.07.2021.

In view of aforesaid position, this Court has left with no other option, but to accept the statement of fact made by learned counsel for the petitioner.

In view of above, without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

|                           |                   |
|---------------------------|-------------------|
| 01.10.2021                | (RAJ MOHAN SINGH) |
| Prince                    | JUDGE             |
| Whether speaking/reasoned | Yes/No            |
| Whether reportable        | Yes/No            |