

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

CRM-M No.23872 of 2021 (O&M)

Date of Decision:30.06.2021

(Heard through VC)

Gagandeep Verma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Verma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.53 dated 22.06.2019 registered under Section 22 of the NDPS Act at Police Station Sadar Rajpura, District Patiala.

Learned counsel for the petitioner herein would contend that the petitioner was taken into custody in the aforesaid FIR on 22.06.2019. It is contended that allegedly 2040 tablets of Diphenoxylate Hydrochloride were recovered from the possession of the petitioner. He relies upon an order dated 13.10.2020 passed by this Court in CRM-M No.48858 of 2019 whereby the petitioner herein had been granted interim bail for a period of three months. It is further argued that investigation in the matter is complete and the challan stands presented. The trial is likely to take some time to conclude and therefore, prays for concession of bail to the petitioner.

Learned counsel for the respondent-State opposes grant of bail to the petitioner by contending that the recovery effected from the petitioner

falls under commercial quantity and therefore, keeping in view the stringent provisions of Section 37 of the NDPS Act, petitioner herein is not entitled for regular bail.

I have heard learned counsel for the parties. Without commenting on merits of the case and keeping in view the fact that the investigation has been completed and the challan stands presented and the trial is likely to take some time to conclude owing to present COVID-19 pandemic situation, this Court deems it appropriate to grant interim bail to the petitioner for a period of three months on execution of personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of concerned trial Court/Duty Magistrate. However, it is made clear that after expiry of period of three months, the petitioner herein will surrender. Needless to say that in case the petitioner is found to have indulged in any similar activity, the respondent-State will be at liberty to move an appropriate application for cancellation of interim bail granted to him.

The petition stands disposed of accordingly.

June 30, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No