

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

CRM-M-25537-2021 (O&M)

Date of decision: 08.11.2021

Jagjit Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

This is a petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 12 dated 26.1.2021, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 411, 473 IPC and Sections 21(c) of the NDPS Act, added vide GDR No. 34 dated 26.01.2021) registered at Police Station Sultanwind, District Amritsar.

Learned counsel for the petitioner submits that allegedly 260 grams of heroin was recovered from the petitioner, which is marginally above the commercial quantity and the contraband was weighed with polythene bag. The petitioner has been in custody since 26.01.2021. There is no other case against the petitioner.

Learned State counsel, while vehemently opposing the prayer

for bail submits that the recovered contraband falls under the commercial quantity. However, he does not dispute the custody period of the petitioner and that there is no other case against the petitioner. He submits that out of 14 prosecution witnesses, none has been examined, so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 26.01.2021. The prosecution witnesses are yet to be examined, therefore, the conclusion of the trial would take a long time. Moreover, there is no other case against the petitioner, hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

08.11.2021
Mangal Singh

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