

217 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-27694-2021

DATE OF DECISION: 22nd JULY, 2021

HEERA LAL

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jatinder Singh Gill, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This is a petition under Section 439 of Cr.P.C. seeking regular bail in FIR No. 95, dated 28th June, 2020, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Khuian Sarwar, District Fazilka.

[3] During routine patrolling on 28th June, 2020, the police party checked Heera Lal (petitioner) and from his possession 750 tablet of Tramadol Hydrochloride weighing to 306.93 grams were recovered.

[4] Learned counsel for the petitioner submits that the petitioner is in custody since 28th June, 2020. He further submits that investigation is complete and no recovery is to be made. The petitioner has no criminal antecedents.

[5] Ms. Monika Jalota, Deputy Advocate General, Punjab,

SHAM SUNDER,
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I attest to the accuracy and
integrity of this document
High Court, Chandigarh

Balwinder Singh submits that quantity recovered from the petitioner is commercial, challan stands presented but charges are yet to be framed. She fairly submits that petitioner is not involved in any other NDPS case.

[6] The petitioner is in custody since 28th June, 2020. The investigation is complete. No further recovery is to be made. The petitioner is not involved in any other NDPS case. Challan stands presented and conclusion of trial is likely to take time. No useful purpose would be served by keeping the petitioner behind the bars. The petitioner is granted bail. The bail would be subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

[7] The petition is allowed.

[8] It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

22nd JULY, 2021.
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1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes