

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

213/2

CRM-M-26706-2020.

Date of Decision: 07.01.2021.

Gurbhej Singh @ Bheja

....Applicant/Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ruhani Chadha, Advocate for applicant/petitioner.

Mr. H.S.Sitta, A.A.G. Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Gurbhej Singh @ Bheja** in case FIR No.52 dated 21.03.2019 under Sections 22 and 29 of NDPS Act, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that petitioner was not named in the FIR, whereas his name surfaced lateron in the array of accused in terms of disclosure statement of co-accused Jaspal Kaur @ Suman. He further urges that even otherwise alleged recovery of intoxicant powder and 11 injections of '*Buprenorphine*' have already been effected from co-accused Jaspal Kaur @ Suman who has already been released on regular bail by this Court. He further submits that

Police for any investigation purpose. He further submits that challan has been presented in Court. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 18.07.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Gurbhej Singh @ Bheja** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Kapurthala, as the case may be.

(LALIT BATRA)
JUDGE

07.01.2021
jitender/VP

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No