

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

CRM-M-30130-2020

Date of decision:01.03.2021

Mahinder Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this third petition under Section 439 Cr.P.C., the petitioner seeks regular bail in case bearing FIR No.247 dated 27.11.2019 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner states that the alleged recovery of 1000 tablets containing Tramadol Hydrochloride has been effected from the polythene bag allegedly thrown on the road by the two persons i.e. the petitioner and the co-accused. It is further stated that the petitioner has been in custody since 27.11.2019 and there is no other case registered or pending against him.

Learned State counsel, while opposing the prayer for grant of regular bail, does not dispute the custody period of the petitioner. However, he points out that the recovery effected from the petitioner falls under the

commercial quantity. It is further submitted that the challan has been presented but the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 27.11.2019. Trial of the case would take time to conclude. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

01.03.2021

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(HARNARESH SINGH GILL)
JUDGE

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