

BAHADUR SINGH @ SONI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Tanvir Singh Grewal, Advocate  
for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

\*\*\*\*

*(The case has been taken up through video conferencing on  
account of Covid-19 Pandemic)*VIVEK PURI, J. (ORAL)

Petitioner is seeking regular bail in the case bearing FIR No. 146 dated 06.12.2019 under Sections 22 and 29 of NDPS Act, 1985, registered at Police Station Longowal, District Sangrur.

Briefly, as per the allegations of the prosecution, on 06.12.2019, 13 injections of Buprenorphine and 8 injections of Promethazine Hydrochloride recovered from the possession of the petitioner. It has not been disputed that 8 injections of Promethazine Hydrochloride do not fall within the purview of NDPS Act.

The learned counsel for the petitioner has placed reliance upon the order passed by this Court in *Aruna @ Runa Vs State of U.T. Chandigarh 2020(2)RCR(Criminal)766* and *Nishant Jain Vs. Union Territory of Chandigarh 2019(4)RCR (Criminal)204* wherein the bail was granted to the petitioner in case of recovery of 12 injections and 14 injections of Buprenorphine respectively.

It has been argued that the quantity of contraband recovered from the possession of the petitioner is marginally above the commercial quantity, the

investigation of the case is complete and the challan has been presented. However, the charge is yet to be framed and 17 witnesses have been mentioned in the list of witnesses. It has been further stated that the petitioner is in custody for the last about 01 year and 02 months and no other case is pending against the petitioner.

Learned State counsel has not disputed the aforesaid factual aspects.

The quantity of contraband recovered from the possession of the petitioner is marginally above the commercial quantity and the charge is yet to be framed. The conclusion of the trial is likely to take sometime and no fruitful purpose will be served by detaining the petitioner in further custody.

In these set of circumstances, the ends of justice will meet if the petitioner is extended the concession of bail.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

29.01.2021  
*renubala*

**(VIVEK PURI)**  
**JUDGE**

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No