

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

CRM-M-38814-2020

DECIDED ON: 17th August, 2021

Lovepreet Singh @ Happy

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Jasneet Mehra, Advocate for petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

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

This petition is filed for seeking regular bail in case of FIR No.135 dated 8.8.2020, under Sections 21(B) of NDPS Act, 1985, registered at Police Station Sadar Gurdaspur, District Gurdaspur.

On 8.8.2020, in the area of Nabipur Bye Pass chowk, the police party checked a Car bearing registration No.PB-02-AV-0063. There were two accused in the Car. Ten grams of Heroin was recovered from the dash board of the Car.

Learned counsel for the petitioner submits that the recovery is of non-commercial quantity. Nothing was recovered from the conscious possession of the petitioner. Investigation is complete and no recovery is to be made.

Learned State counsel opposes the prayer and on instruction from SI Sulkhan Singh submits that the petitioner is involved in seven more cases.

Learned counsel for the petitioner contends that the petitioner is on bail in all other cases.

Considering the quantity of recovery effected; the fact that the petitioner is in custody since 8.8.2020; investigation is complete; challan stands presented and conclusion of the trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

17th August, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>