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

CRM-M-46677-2021

Date of decision-11.11.2021

Jaspreet Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. R.K.Grewal, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.189 dated 29.08.2021 under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 NDPS Act added later on) registered at Police Station City Rajpura Patiala, District Patiala, who is in custody since his arrest on 01.09.2021.

As per the allegations in the FIR, on 01.09.2021, when the police party was present at Sabzi Mandi Mode, Bhogla Road, Rajpura for patrolling, then one person was seen coming on his motorcycle bearing No.PB-39-H-0157 and on seeing the police party, he tried to return and fell down. He was apprehended on suspicion and on search polythene bag held by him, 2500 intoxicant tablets-Clovidol-100 SR containing Tramadol Hydrochloride were recovered.

Learned counsel for the petitioner argued that the alleged contraband (2500 tablets) was recovered from co-accused-Rajan Kumar and subsequently on his disclosure statement, petitioner has been arraigned as an accused. She has pointed out that the petitioner holds valid license to run a chemist shop which is valid up to 27.05.2024. According to her, further custody of the petitioner may not be necessary and she prays for bail.

On the other hand, learned State counsel assisted by SI Amrish Singh has opposed the prayer, but does not dispute the sequence narrated by the learned counsel for the petitioner and states that on 01.09.2021, the petitioner was arrested as an accused on the disclosure statement of the accused-Rajan Kumar. He further produced custody certificate dated 11.11.2021 filed by way of affidavit of Rajdeep Singh, PPS, Additional Superintendent, Central Prison, Patiala which reveals that petitioner is not involved in any other case.

Considering the above background, custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 01.09.2021. Moreover, the material witnesses are police officials, so there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on

regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

11.11.2021

(MANOJ BAJAJ)
JUDGE

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No