

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-47024-2021

Date of Decision: 6.12.2021

Mandeep Singh

....Petitioner

VERSUS

State of UT, Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. A.P.Kaushal, Advocate
for the petitioner.

Mr. Deepinder Brar, Addl. PP, UT Chandigarh.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.144 dated 19.8.2021 registered for the offences punishable under Sections 20 of NDPS Act at Police Station Manimajra, Chandigarh.

Counsel for the petitioner contended that the petitioner has been falsely implicated in this case relating to recovery of half kg. of charas which comes under non-commercial quantity of contraband. It is further contended that the petitioner is in custody for the last more than 3 months and it will take considerable long time for conclusion of the trial as charges are yet to be framed. He prayed for grant of regular bail to the petitioner.

Present petition has been contested by the learned State counsel appearing for UT, Chandigarh. While referring to the custody certificate, he submitted that the petitioner is also having another case under Gambling Act.

I have considered the submissions made by both the counsel.

The present case is relating to recovery of 500 grams of charas which falls under non-commercial quantity. As per custody certificate, the petitioner is already in custody for the last more than 3 months and 15 days. He also stands discharged in another case which was registered against him under NDPS Act. No doubt, one another case under Gambling Act has been registered against the petitioner in Police Station Manimajra but the same is not having any bearing on the present case. The investigation has already been completed and challan has been presented against the petitioner in the present case. It will take time for conclusion of the trial. So no purpose will be served even if the petitioner is kept behind the bars for any longer period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/trial Court concerned.

December 6, 2021

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No