

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.45904 of 2021 (O&M)

Date of Decision:08.11.2021

Mohd. Shamshad @ Saddu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunny K. Singla, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.145 dated 13.09.2021 registered under Sections 21, 29, 61, 85 of the NDPS Act at Police Station Amargarh, District Malerkotla.

Learned counsel for the petitioner prays for grant of regular bail to the petitioner by contending that he has been falsely implicated in the said matter. It is argued that the recovery effected from the petitioner is a non-commercial quantity. It is also argued that co-accused have already been allowed regular bail by the Court of Judge Special Court, Sangrur. The petitioner is in custody since 13.09.2021 and the trial is likely to take some time to conclude, therefore, prays for concession of bail to the petitioner.

Learned counsel for the respondent-State would oppose grant of bail to the petitioner by contending that the allegations levelled against the petitioner are serious in nature and the petitioner is a habitual offender and facing trial is several other NDPS matters.

I have heard counsel for the parties and have perused the case file. Keeping in view the fact that the recovery effected from the petitioner is of non-commercial quantity and the fact that he is in custody since 13.09.2021 and the trial is likely to take time to conclude, no useful purpose would be served in keeping the petitioner behind bars any longer. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal/surety bonds of Rs.1 lakh each to the satisfaction of concerned trial court/Duty Magistrate. However, any observations made hereinbefore shall not be construed as an expression on merits of the case and is limited only for the purpose of decision of the instant bail petition.

November 08, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No