

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

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CRM-M-50168-2021 (O&M)

Date of decision: 06.12.2021

Amandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K. S. Brar, Advocate
for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 102 dated 09.06.2021, registered under Section 22(b) of the NDPS Act, at Police Station Talwandi Sabo, District Bathinda.

Custody certificate by way of affidavit dated 03.12.2021 of the Additional Superintendent, Central Jail, Bathinda, submitted by the learned State counsel, is taken on record.

Learned counsel for the petitioner states that the petitioner has falsely been involved in the present case. He further submits that as per the prosecution, the alleged recovery of 600 tablets of Tridol/100 was effected from petitioner and co-accused Jaskaran Singh but as a matter of fact, the same was not effected from their possession and rather it was effected from the ground. The petitioner has been in custody since 09.06.2021 and nothing is to be recovered from him. There is no other case registered or pending against the petitioner. Moreover, co-accused Jaskaran Singh has already been enlarged on bail by this Court vide order dated 08.11.2021.

Learned State counsel, while vehemently opposing the prayer for

bail submits that the recovered contraband falls under the commercial quantity. However, he does not dispute the custody period of the petitioner and that there is no other case registered or pending against the petitioner. He submits that the challan is yet to be presented.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.06.2021. The recovery was effected from ground. The challan is yet to be presented. Co-accused Jaskaran Singh has already enlarged on bail by this Court vide order dated 08.11.2021. The conclusion of the trial would taken a long time. Moreover, there is no other case registered or pending against the petitioner. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

06.12.2021*Riya***(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No