

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

CRM-M No.53089 of 2021 (O&M)

Date of Decision:23.12.2021

Amandeep Singh @ Aman

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. C.S. Rana, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has filed under Section 439 Cr.P.C. seeking grant of regular bail to the petitioner in FIR No.70 dated 30.03.2019 under Sections 22 of the NDPS Act registered at Police Station Sadar Khanna, District Khanna.

Learned counsel for the petitioner prays for grant of regular bail to the petitioner by contending that only 10 of the loose tablets recovered had been sent for testing to the FSL whereas in the judgment rendered in ***Roopa Rani and another Vs. State of Punjab and another 2020 (1) Law Herald 507***, it has been held that in case loose tablets have been recovered, the entire lot has to be sent to the FSL. It is further contended that the investigation has been completed and the challan stands presented and therefore, custody of the petitioner would no longer be required. The trial is likely to take some time to conclude and therefore, concession of bail ought to be granted to the petitioner.

Learned counsel appearing on behalf of the respondent-State

opposes grant to bail to the petitioner by contending that recovery effected is huge and the allegation levelled against the petitioner are serious in nature.

I have heard learned counsel for the parties and have perused the paper book. Keeping in view the fact that the investigation has been completed and the challan stands presented and the fact that the petitioner is in custody since 30.03.2019 and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. Consequently, the instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of adequate personal/surety bonds 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.

December 23, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No