

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

209

CRM-M-51918-2019 (O&M)

Date of Decision: 25.03.2021

JAGMINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, D.A.G. Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

CRM-5571-2020

Learned counsel for the applicant-petitioner prays to withdraw the present application.

Dismissed as withdrawn.

CRM-M-51918-2019

Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.19 dated 13.03.2019 registered under Section 15 of the NDPS Act, 1985, at Police Station Sadar Raikot, District Ludhiana.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. He further states that from the secret chamber of the Bolero Car of the petitioner, 150 k.g. Poppy Husk was allegedly recovered. The petitioner has been in custody since 13.03.2019 and there is no other case registered or pending against him under NDPS Act.

Learned State counsel while opposing the prayer for grant of bail has not disputed the aforesaid factual position. He, however, has stated that the recovery of 150 k.g. Poppy Husk effected from the petitioner, falls within the ambit of commercial quantity. He further states that out of the 12 prosecution witnesses, only one has been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 13.03.2019 and no other case of similar nature is registered or pending against him. Out of 12 prosecution witnesses, only one has been examined so far. Trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bar.

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

25.03.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*