

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

**CRM-M-2242 of 2021
Date of Decision:- 16.05.2022**

Nirmal

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Dheeraj Narula, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for regular bail to the petitioner in case having FIR No.60 dated 27.06.2019 registered under Sections 22 of NDPS Act, No.61 of 1985, Police Station Sadar Abohar, District Fazilka, Punjab.

As per the allegations appearing on record, 2500 intoxicant tablets containing tramadol hydrochloride salt were recovered from the possession of petitioner and Somdass @ Goru 27.06.2019, while they were travelling on a motrocycle. The petitioner is in custody since then.

The counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and is in

custody for the last more than 2 years and 7 months and is not involved in any other case. The counsel further contends that trial is going on.

As far as custody period is concerned, the State counsel has furnished the custody certificate, as per which actual custody period of petitioner as on today comes out to be more 2 years and 7 months and he is not involved in any other case under NDPS Act. As per the status report filed by way of affidavit of Avtar Singh, Deputy Superintendent of Police, Rural Abohar, dated 13.05.2022, which is furnished by the State counsel, out of total 12 PWs 5 witnesses have been examined by the prosecution so far. It will take time for conclusion of the trial. Further as per the copy of challan submitted by police under Section 173 Cr.P.C, it is not clear as to whether the aforesaid contraband i.e. 2500 intoxicant tablets were recovered from the conscious possession of the petitioner.

In view of the above, without advertng to the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on regular bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

16.05.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No