

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

CRM-M-1452 of 2022

Date of decision: 18.01.2022

Pritam Dass @ Pritam Ram

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dinesh Nagar, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 117 dated 29.11.2021 under Section 21 of the NDPS Act, 1985 registered at Police Station Sadar Nawanshahr, District SBS Nagar.

The police party on 29.11.2021 apprehended Pritam Dass @ Pritam Ram (petitioner) and recovered twelve grams of heroin.

Learned counsel for the petitioner submits that the recovery is of non-commercial quantity, it is a case of false implication due to petitioner's involvement in NDPS Act cases. He further submits that the petitioner is in custody since 29.11.2021 and no recovery is to be made.

Learned counsel for the State opposes the prayer for grant of bail. He submits that the petitioner is a habitual offender and was involved in four more cases, three out of which were under NDPS Act.

Learned counsel for the petitioner submits that the earlier cases pertain to the year 2007 to 2012.

Taking into consideration the recovery, the fact that conclusion of investigation and trial is likely to take time, involvement of the petitioner in NDPS Act cases 10 years back cannot be a ground for depriving his personal liberty and conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

18th January, 2022
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |