

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

CRM-M-2103 of 2022 (O&M)

DECIDED ON: 5th July, 2022

Shubham

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. R.S. Sekhon, Advocate for petitioner.

Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Aggrieved of rejection of prayer for grant of regular bail in FIR No.43 dated 18.5.2021, under Section 21(C), 29 of Narcotic Drugs and Psychotropic Substance Act, 1985, (for brevity 'the Act') registered at Police Station Kahnuwan, District Gurdaspur, the present petition is filed.

On 18.5.2021 Baljit Singh @ Beena was apprehended and 4700 loose intoxicant tablets were recovered. He disclosed that the recovered tablets were procured from Shubham (petitioner). A raid was conducted at the house of the petitioner and medicines not falling under the Act, were recovered.

Learned counsel for the petitioner submits that the petitioner is in custody since 15th October, 2021. Petitioner is a pharmacist and licence holder. His wife is BAMS Doctor and is running a clinic under the name and style of Agamjot Clinic. Petitioner is not involved in any other case.

Learned State counsel opposes the prayer but on instructions is not able to refute the contentions raised by learned counsel for petitioner.

Without commenting upon the merits of the case, considering that no contraband was recovered either from the possession of the petitioner or from his house, though investigation is complete conclusion of trial is likely to take time and petitioner has no criminal antecedents, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

Since the main case has been decided, the pending application, if any is rendered infructuous.

5th July, 2022
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>