

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

**CRM-M-5605 of 2022
DECIDED ON: 24th March, 2022**

Gurpal Singh alias Bhaggu

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Sukhwinder S. Dhillon, Advocate for petitioner.

Ms. Sandeep Kumar, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No.215 dated 7.12.2021, under Section 21 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') registered at Police Station Special Task Force, District STF Wing.

As per the case set up on 7.12.2021, 50 grams of Heroin was recovered from the motor cycle driven by the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated due to his involvement in other cases under the Act, the alleged recovery is of non-commercial quantity and investigation is complete.

Learned State counsel opposes the prayer for bail and submits that the petitioner is a habitual offender, he was involved in two more cases under the Act and was convicted in one. Learned State counsel on instructions further submits that challan stands presented.

Without commenting upon the merits of the case, considering the quantity of contraband recovered, the custody period and the fact that no recovery is to be made, investigation is complete and conclusion of trial is likely to take time, 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.

24th March, 2022
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(AVNEESH JHINGAN)
JUDGE

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