

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

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CRM-M-6276-2022

Date of Decision : **April 29, 2022**

RANJIT ALIAS BILLA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Ms. Taranjit Kaur Hundal, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.115 dated 20.6.2021 under Section 22(b) of NDPS Act, registered at Police Station Sadar Nakodar, District Jalndhar, Rural, Punjab.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 20.6.2021 and the investigation of the case has already been completed and thereafter charges have been framed. She submitted that the alleged recovery from the petitioner was 190 tablets of tramadol which does not fall in the category of commercial quantity and the present case was planted upon the petitioner in view of the fact that the petitioner was involved in some other case under the NDPS Act and that was the reason as to why the present case was planted upon the petitioner. She further submitted that no further recovery is to

be effected from the petitioner and, therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 20.6.2021 and the alleged recovery from the petitioner was of 190 tablets of tramadol which does not fall in the category of commercial quantity. He has, however, submitted that it is wrong that the present case was planted upon the petitioner in view of the antecedents of the petitioner.

I have heard the learned counsels for the parties.

The alleged recovery from the petitioner was of 190 tablets of tramadol which does not fall in the category of commercial quantity and the petitioner is in custody for the last about ten months and one prosecution witness has already been examined. So far as the pendency of other cases against the petitioner is concerned, the affidavit filed by the State would show that in two cases the petitioner has been acquitted and in two cases he was convicted and the remaining two cases are still pending under trial. The pendency of other cases against the petitioner cannot become a bar for grant of bail to the petitioner particularly in view of the fact that he was earlier acquitted in two cases. Furthermore the alleged recovery from the petitioner does not fall in the category of commercial quantity. Therefore, considering the totality of the circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety

bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

April 29, 2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No