

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

CRM-M-8212-2022 (O&M)

Date of decision: 03.03.2022

(Heard through VC)

TAJINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present:- Mr. Majinder Singh Saini, Advocate
for the petitioner.

Mr. Dhruv Dyal, Sr.DAG, Punjab.

SANT PARKASH, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.0119 dated 23.07.2021 registered under Section 21 of NDPS Act, 1985 at Police Station Doraha, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner would contend that the petitioner herein has falsely been implicated in the present case of alleged recovery of 270 grams of heroin from his person. It is submitted that the petitioner herein has been kept in custody on account of recovery of 270 grams of heroin alongwith the weight of the polythene bags which is marginally higher than the commercial quantity and no other case is pending against the petitioner. It is submitted that car recovered during the investigation does not belongs to the petitioner herein. It is also submitted that investigation in the matter is complete and the challan stands presented.

Trial is likely to take some time to conclude, therefore, custody of the petitioner would no longer be required. Thus he prays for regular bail to the petitioner.

Per contra, learned State counsel would oppose grant of bail to the petitioner by contending that the allegations levelled against the petitioner are serious in nature but is not in a position to dispute the fact that recovery of 270 grams of heroin alongwith the weight of the polythene bags which is marginally higher than the commercial quantity; that car used in the alleged incident has not been register in the name of the petitioner; and that no other case is pending against the petitioner. It is also not disputed that the investigation stands completed and challan has been presented.

I have heard counsel for the parties and have also perused case file.

Keeping in view the fact that the matter has been investigated and the trial is likely to take time to conclude and the petitioner is in custody for the period about seven months and there is no other case pending against him, no useful purpose would be served in keeping the petitioner behind bars any longer.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

However, anything observed or said by this court is only for the

purpose of deciding the instant petition for grant of regular bail and the same shall have no effect on the merits of the case.

03.03.2022		(SANT PARKASH)
<i>Riya</i>	<i>Whether reasoned/speaking?</i>	JUDGE <i>Yes/No</i>
	<i>Whether reportable?</i>	<i>Yes/No</i>