

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8876-2022 (O&M)
Date of Decision:-28.4.2022

Jatinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Prabjot Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.45 dated 27.4.2021, Police Station Sadar Malout, District Sri Muktsar Sahib, under Section 21(b) of Narcotic Drugs & Psychotropic Substances Act.
2. The allegations, in nutshell, are that on 27.4.2021, the petitioner was found in possession of 390 tablets of 'Radol-100 SR' containing '*tramadol*'.
3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, since the recovered contraband would fall in the category of 'non-commercial' quantity, he deserves the concession of bail particularly when he has been behind bars since the last about 1 year.

4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed while in possession of contraband and is a seasoned criminal having been involved in three other cases under NDPS Act, no case for grant of bail is made out. It has been informed that while the petitioner has been behind bars since the last 11 months and 28 days, the prosecution has examined 1 PW out of the cited 15 PWs.
5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that it is a case of recovery of 'non-commercial' quantity of contraband. The petitioner has been behind bars for a substantial period of about 1 year. Conclusion of trial is likely to consume time inasmuch as only 1 PW out of the cited 15 PWs has been examined so far. In these circumstances, further detention of the petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

28.4.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No