

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

225

CRM-M-11453-2022

Date of Decision: 23.03.2022

Harjinder Singh @ Jinder

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ashish Nagar, Advocate,
for the petitioner.

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

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.0009 dated 18.01.2022 at Police Station City Nawanshahr, District SBS Nagar, under Section 22 of the NDPS Act, wherein the allegations are broadly to the effect that the petitioner was found in possession of 9 injections (2 ml each) of 'Buprenorphine'.
2. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case the alleged recovery would fall in the category of 'non commercial' quantity and as such, the petitioner deserves the concession of bail as investigation is already completed.

3. On the other hand, learned State counsel has opposed the petition on the ground that the petitioner stands convicted in one case under the NDPS Act, which would show that he is a habitual offender. It has been informed that challan stands presented.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the facts and circumstances of the case and without commenting anything as regards the merits of the case, but while noticing that it is a case of 'non commercial' quantity of contraband and trial has not commenced till date though challan has been presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. 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.

23.03.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**