

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

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CRM-M-12634-2022 (O&M)

Date of Decision: 25.05.2022

SURAJ KUMAR ALIAS PARDHAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. PS Ahluwalia, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.51 dated 18.05.2021, registered under Sections 8, 21, 22, 27-A and 29 of the NDPS Act and Sections 420, 468, 471 and 120-B IPC, at Police Station Mattewal, District Amristar Rural.

Status report by way of an affidavit dated 30.04.2022 of the Deputy Superintendent of Police, Sub-Division Majitha, Amritsar Rural, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that though the petitioner has specifically been named in the FIR, yet the fact remains that the recovery i.e. 500 intoxicant tablets, effected from the petitioner is a non-commercial quantity and that the petitioner has been in custody since 18.05.2021. He further submits that co-accused, namely, Amarpreet Singh @ Sunny and Rahul Chauhan @ Manu Chauhan, have already

been granted the concession of regular bail by this Court and that there is no other case registered and/or pending against the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that post presentation of challan, charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 18.05.2021. There is no other case registered and/or pending against the petitioner. Co-accused have already been enlarged on bail. Recovery effected from the petitioner is non-commercial quantity. Charges are yet to be framed. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

25.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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