

225 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-13904-2022

Date of Decision: 7th April, 2022

Vishal Kalyan @ Shalli

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sunny Namdev, Advocate for
Mr. Dixit Garg, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This is a petition seeking regular bail in case of FIR No. 20 dated 4th February, 2022 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered at Police Station Rahon, District SBS Nagar.

2. As per the case set up, on 4th February, 2022, the petitioner Vishal Kalyan @ Shalli on seeing the police party threw a envelop and tried to flee, he was apprehended. From the thrown envelop, two hundred thirty loose tablets were recovered which were having Tramadol salt and weighed 40.2 grams.

3. Heard the learned counsel for the parties at length and perused the records.

4. Learned counsel for the petitioner submits that recovery from the petitioner is of non-commercial quantity. It is a case of false implication due involvement of petitioner in other FIRs.

5. Learned State counsel opposes the prayer and submits that petitioner is a habitual offender as he is involved in two more cases under the Excise Act. It is not disputed that investigation is complete and challan stands presented.

6. Considering that the recovery of a non-commercial quantity and though the challan stands presented but conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

7th April, 2022
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No