

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

CRM-M-18606-2021

Date of Decision: 8th February, 2022

Jagjeet Singh @ Jiti

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P.K. Ganga, Advocate, for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition is filed for releasing the petitioner on regular bail in FIR No. 240, dated 27th September, 2020, under Section 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Kalanwali, District Sirsa.
3. As per the case set up, on 27th September, 2020, Jagjeet Singh @ Jiti (petitioner) was apprehended in the area of bus stand of village Kewal. 370 tablets of Tramadol Hydrochloride 100 Mg. were recovered from the bag carried by the petitioner .
4. Learned counsel for the petitioner submits that the petitioner is in custody since 27th September, 2020, the trial is at an initial stage and the recovery is marginally higher than the commercial quantity.
5. Learned State counsel opposes the prayer and relying upon

Section 37 of the Act submits that the petitioner is not having clean antecedents as he is involved in two more FIRs.

6. Without commenting upon the merits of the case, considering that the recovery from the petitioner is of a commercial quantity, mere custody of more than one year cannot be a ground for grant of bail. It would be appropriate to mention that due to Covid-19 situation the trials are not progressing at a usual pace. There is doubt that the prosecution would make an earnest effort to ensure that the prosecution witnesses are examined at the earliest.

7. Dismissed.

(AVNEESH JHINGAN)
JUDGE

8th February, 2022

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Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**