

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

CRM-M-17829 of 2022

Date of Decision: 18.11.2022

Amrik Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. J.S. Gill, Advocate for the petitioner.

Mr. V.G. Jauhar, Addl.AG, Punjab.

HARINDER SINGH SIDHU, J

Prayer is for grant of regular bail in case FIR No. 103 dated 10.09.2018 under Sections 22/25/29/61 of NDPS Act (Section 66-F of Information Technology Act, 2000 was added later on) registered at P.S Kulgarhi, District Ferozepur.

As per allegations in the FIR, 500 grams Tramadol Hydrochloride was recovered from the conscious possession of the petitioner and co-accused.

Learned counsel for the petitioner contends that false recovery has been planted on the petitioner. It was the pillion rider, who was holding the alleged contraband. The petitioner has been in custody for the last more than four years and two months.

Per contra, learned State counsel has seriously opposed the prayer stating that the recovery is of commercial quantity.

Without commenting anything on the merits of the case and also bearing in mind the custody period coupled with the fact that the conclusion of the trial will take sufficient time, in my opinion, no useful purpose will be served by detaining the petitioner behind bars. Hence, petition is allowed.

Petitioner Amrik Singh is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

November 18, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No