

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

244

CRM-M-17922-2022

Date of Decision: 05.05.2022

Ajay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ravinder Singh, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Hans Raj.

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.04 dated 25.01.2022 at Police Station Balachaur, 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 95 loose intoxicant tablets 'Alprazolam'.
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.
3. Opposing the petition, learned State counsel has submitted that since the petitioner has been caught red-handed, no case for grant of bail is made out. It has, however, been informed that the

petitioner has been behind bars since the last more than 3 months and that challan stands presented and as many as 12 PWs have been cited. It has also been informed that petitioner stands involved in one more case under IPC.

4. I have considered rival submissions addressed before this Court.
5. 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.

05.05.2022

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**