

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

CRM-M-19274 of 2022(O&M)

Date of Decision: 13.05.2022

Vijay Kumar @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Sidhant Vermani, Advocate
For the petitioner.**

Ms. Jaspreet Kaur, AAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Cr.P.C. by the petitioner seeking regular bail in FIR No. 299 dated 17.11.2012, registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act(for brevity, NDPS Act) read with Section 420 IPC and Section 42 of Prisons Act(in which charges have been framed under Section 21 of NDPS Act read with Section 420 IPC and Section 42 of Prison Act), Police Station Cantonment Amritsar.

Counsel for the petitioner contends that 4.480 grams of powder containing *dextropropoxyphene* was recovered from the petitioner in 2012 when he was lodged in Central Jail, Amritsar. The petitioner was granted bail as aforesaid contaband falls under small quantity. Counsel further contends that thereafter the petitioner jumped bail and was declared a proclaimed offender and now re-arrested on 25.01.2022. Counsel further contends that it being a case of recovery of small quantity of contraband, the petitioner is entitled to grant of bail.

State counsel, who has put in appearance on service of advance copy of petition, while opposing the bail application, admitted the aforesaid factual position. She also admitted that contraband recovered is covered under small quantity as per provisions of NDPS Act.

It will take time for conclusion of trial. So no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.05.2022

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