

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

CRM-M-24017-2022 (O & M)

Date of decision: 30.08.2022

Ranjit Kumhaar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mikhail Kad, Advocate,
for the petitioner.

Mr. IPS Sabharwal, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.17 dated 10.04.2022, registered at Police Station GRP Sangrur, District Govt. Railway Police, under Section 18 NDPS Act, 1985.

Learned counsel for the petitioner submits that recovery of 500 gram opium allegedly effected from the petitioner, falls under the non-commercial quantity; that the provisions of Section 50 NDPS Act had not been complied with; that the petitioner has been in custody since 10.04.2022 and that there is no other case registered or pending against the petitioner, at least of a similar nature. On this premise, learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the provisions of Section 50 NDPS Act had been complied with. However, he does not dispute the fact that the aforesaid extent of recovery allegedly effected from the petitioner, falls under the non-commercial quantity.

I have heard the learned counsel for the parties.

Indisputably, the extent of recovery of opium allegedly effected from the petitioner, falls under the non-commercial quantity. The petitioner has been in custody since 10.04.2022. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

30.08.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No