

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

CRM-M-26061-2022
Date of decision: 02.09.2022

Lovepreet Singh @ Billa

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Simsi Dhir Malhotra, Advocate,
for the petitioner.

Mr. Subhash Godara, Addl. A. G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.65 dated 06.05.2022, registered at Police Station Sadar, District Hoshiarpur, under Section 21 NDPS Act (wrongly mentioned as Section 22 in the impugned order) and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner contends that as per the prosecution version, recovery of 15 gram heroin and one countrymade pistol had been effected from the petitioner; that the extent of contraband recovered in the present case, falls under the non-commercial quantity, and that the petitioner has been in custody since 06.05.2022.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that on the basis of some secret information, the petitioner was apprehended alongwith 15 gram heroin and one countrymade pistol. However, he does not dispute that there is no other case registered or pending against the petitioner.

I have heard the learned counsel for the parties.

Indisputably, the extent of contraband recovered in the present case, falls under the non-commercial quantity. Challan has already been presented. The petitioner has been in custody since 06.05.2022. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. There is no other case registered or pending against the petitioner. 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.

02.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No