

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27201 of 2022 (O&M)

DECIDED ON:6th July, 2022

Avdesh Kumar

....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. J.S. Lalli, Advocate for petitioner.

Mr. Sandeep Kumar, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Aggrieved of rejection of prayer for grant of regular bail in FIR No.108 dated 6.10.2021, under Section 18 of NDPS Act, registered at Police Station GRP, Ludhiana, the present petition is filed.

During routine checking on 6.10.2021, police party apprehended Avdesh Kumar (petitioner) and recovered 2.5 kg of *Opium*.

Learned counsel for the petitioner submits that the petitioner is in custody since 6.10.2021. Recovered contraband was weighed along with packing. He further submits that the petitioner is not involved in any other case.

Learned State counsel has filed the custody certificate. He opposes the bail and submits that 2.5 kg of *Opium* was recovered from the petitioner.

Without commenting upon the merits of the case, considering that the petitioner is in custody for almost nine months, investigation is complete, it is debatable issue as to whether recovery is of commercial quantity, petitioner has no criminal antecedents, conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

6th July, 2022
reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>