

CRM-M-27497 of 2022

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

CRM-M-27497 of 2022 (O&M)
Date of Decision: 18.10.2022

Gurpreet Singh @ Pinka

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Hitesh Verma, Advocate, for the petitioner.
Mr. G.S. Sandhu, Deputy Advocate General, Punjab and
Mr. Amish Sharma, Assistant Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.118 dated 27.11.2021 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Smalsar, District Moga.

Briefly stated, on 27.11.2021 petitioner was apprehended and 1000 tablets containing Tramadol were recovered from his conscious possession, which he was carrying without any permit or license.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case. Alleged recovery has been planted upon the petitioner. Petitioner is in custody since 27.11.2021. Conclusion of trial will take a long time. Petitioner is not

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involved in any other case under the NDPS Act. Learned counsel further contends that the co-accused of the petitioner has been granted bail. Therefore, no useful purpose would be served by keeping the petitioner behind bars.

On the contrary, learned State counsel opposed the present petition for grant of regular bail to the petitioner.

Keeping in view the facts and circumstances of the case, the fact that petitioner is not involved in any other case and the fact that conclusion of trial may take a long time but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Gurpreet Singh @ Pinka is ordered to be released on regular bail on his furnishing bail bond with one surety of heavy amount to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

It is made clear that State will be at liberty to file application for cancellation of petitioner's bail, if he is found involved in any other case under the NDPS Act during the period of bail.

October 18, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No