

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.30474 of 2022
Date of Decision: 22.08.2022

Surmukh Singh

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sudesh K Khurcha, Advocate,
for the petitioner.

Mr. Akashdeep Singh, Additional Public Prosecutor,
Chandigarh.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR bearing No.72 dated 09.04.2022, under Section 21 of NDPS Act, registered at Police Station Sector 17, Chandigarh.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody from 09.04.2022 which is almost four months and the investigation of the case has already been completed and thereafter even charges have been framed. He further submitted that the petitioner is not involved in any other case. He further submitted that there was an alleged recovery of 18.22 gram of heroin effected from the petitioner which does not fall in the category of commercial quantity and the petitioner has been falsely implicated in the present case. He further submitted that the trial of the case may take long time and no recovery is to be effected from the petitioner and, therefore, he may be considered for the grant of regular bail.

On the other hand, learned counsel for UT Chandigarh has submitted that it is correct that the petitioner is in custody from 09.04.2022

and the investigation of the case has been completed. He further submitted that no recovery is to be effected from the petitioner. He further submitted that it is correct that the petitioner is not involved in any other case.

I have heard the learned counsel for the parties.

The petitioner is in custody from 09.04.2022. The investigation of the case has already been completed and the alleged confiscation of 18.22 gram of heroin does not fall in the category of commercial quantity. Considering the fact that the petitioner is not involved in any other case and trial of the case may take long time, this Court deems it fit to grant regular bail to the petitioner.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds/surety bonds to the satisfaction of the concerned Chief Judicial Magistrate/Trial Court/Duty Magistrate.

However, anything observed herein above shall have no effect on the merits of the case and is meant for deciding the present petition only.

22.08.2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No