

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

**CRM-M-36420-2021
Date of decision: 14.03.2022**

Jaspreet Singh @ Jassa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. L. S. Sekhon, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 11 dated 02.02.2021, registered under Sections 22 and 29 of the NDPS Act, 1985 at Police Station Cheema, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of ASI Darshan Singh, it is stated that while on patrol duty, a young person was seen standing under a tree, who was carrying a plastic polythene bag of black color, and was counting the strips of tablets. On seeing the police party, he became perplexed and tried to run away, however, he was apprehended. On inquiry, he disclosed his name as 'Jaspreet Singh @ Jassa' i.e. the petitioner herein. The scattered strips of tablets were visible as they were having marking of Celcidal-100 SR containing the salt of 'Tramadol'. Thereafter, a ruqa was

sent to the police station for registration of the FIR and recovery of 1000 intoxicant tablets was effected.

Learned counsel for the petitioner further submits that it will be a matter of trial whether a proper procedure was followed or not as no notice under Section 50 of the NDPS Act was given.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody for the last more than 01 year and 01 month and he is not involved in any other case under the NDPS Act.

Learned State counsel, on the basis of the custody certificate, has not disputed the factual and submitted that though the charges have been framed, however, out of total 13 prosecution witnesses, none has been examined so far.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the fact that the petitioner is in judicial custody for the last more than 01 year and 01 month; he is not involved in any other case under the NDPS Act and also in view of the fact that conclusion of trial is likely to take some time, the present petition is allowed. The petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

14.03.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No