

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

CRM-M-40909-2021

Date of Decision: 21st February, 2022

Balraj Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rajesh Bhateja, Advocate, for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J. (Oral)

1. Due to Covid-19 situation, the Court is convened through video conference.
2. This petition is filed for grant of regular bail in FIR No. 40, dated 3rd March, 2021, under Section 22-C of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), registered at Police Station Sadar, Sri Muktsar Sahib, District Sri Muktsar Sahib.
3. As per the case set up, on 3rd March, 2021, during routine checking police party apprehended Balraj Singh @ Raju (petitioner). From the plastic bag he was carrying, three-hundred tablets having Tramadol salt, nine bottles of Wincirex cough syrup containing Codeine and Rs.75,500/- cash was recovered.
4. Learned counsel for the petitioner submits that the petitioner is in custody since 3rd March, 2021, he is not involved in any other case of NDPS Act, it is a case of false implication, the investigation is complete,

none of the prosecution witness has been examined till date.

5. Learned State counsel, on instructions, opposes the prayer and submits that the petitioner is involved in another FIR under the provisions of the IPC. He further submits that the charges were framed and there are fifteen prosecution witnesses but none has been examined till date.

6. Without commenting upon merits of the case, considering the nature and quantity of contraband recovered, the fact that the petitioner is not involved in any other case under the NDPS Act, the incarceration undergone by the petitioner and further that conclusion of the trial is likely to take time, the petitioner is granted bail, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made here-in-above shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

21st February, 2022

Pk Kapoor

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**