

219 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No.44091 of 2021
Date of Decision: 14.03.2022**

Surinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jagvinder Singh Santwal, Advocate
 for the petitioner.

 Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

 This petition is filed seeking regular bail in FIR No.35, dated 24.05.2021, under sections 22, 29 of the NDPS Act, 1985, registered at Police Station Morinda, District Roopnagar.

 Power of attorney has been filed by learned counsel for the petitioner today in the Court and the same is taken on record.

 Custody certificate of the petitioner is filed by learned State counsel today.

 The co-accused was apprehended by the police party on 24.05.2021 and 3480 intoxicating tablets were recovered from the co-accused Amarjeet Singh. The petitioner was named in a disclosure statement as a supplier of the recovered contraband.

 Learned counsel for the petitioner submits that no recovery was

made from the petitioner. He is having a licence in Himachal Pradesh for dealing in medicines. He was named in a disclosure statement and he is in custody since 16.06.2021, investigation is complete and no further recovery is to be made.

Learned counsel for the State opposes the prayer and submits that petitioner is involved in an another case under the NDPS Act registered in Himachal Pradesh. He further submits that the recovery from the co-accused was of commercial quantity.

Learned counsel for the petitioner at this stage submits that the petitioner was granted bail in the FIR registered in the State of Himachal Pradesh.

The name of the petitioner surfaced in a disclosure statement. No recovery was made from him. There is a contention raised that he is holding a valid licence for dealing in medicines in Himachal Pradesh. Considering the custody period of the petitioner and the fact that though the investigation is complete but conclusion of trial is likely to take time, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing requisite bail bonds to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

However, it is clarified that nothing stated hereinabove shall be construed as expression of opinion on the merits of the case.

14th March, 2022

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[AVNEESH JHINGAN]

JUDGE

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| 1. Whether speaking/ reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |