

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-43458-2021 (O&M)
Date of Decision:- 10.5.2022

Nirmal @ Nimma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ankur Bansal, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Sukhdev Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.120 dated 27.6.2021, Police Station Sadar Nakodar, District Jalandhar, under Section 22(b) of NDPS Act.
2. The allegations, in nutshell, are that the petitioner was found in possession of 60 tablets of 'Tramadol'.
3. Learned counsel for the petitioner has submitted that as per the report of CFSL, the recovered contraband would fall in the category of non-

commercial quantity and that since petitioner has been behind bars for a substantial period of more than 10 months, he deserves the concession of bail particularly when no PW has been examined till date.

4. On the other hand, learned State counsel while not disputing that it is a case of recovery of non-commercial quantity has opposed the petition on the ground that the petitioner is involved in 12 other cases. Learned State counsel has informed that as on date no PW has been examined.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that it is a case of recovery of non-commercial quantity of contraband and the petitioner otherwise has been behind bars for a substantial period of more than 10 months and trial has not even commenced till date inasmuch as no PW has been examined till date, further detention of the petitioner would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.5.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No