

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

**CRM-M-43752 of 2022(O&M)
Date of Decision:- 21.11.2022**

Daljeet Singh @ Jeet

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sunny K. Singla, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for regular bail to the petitioner in case having FIR No.97 dated 21.07.2022 registered under Section 22, 29, 61, 85 of Narcotic Drugs and Psychotropic Substances Act 1985, Police Station City Sadar Ahmedgarh, District Malerkotla.

The counsel for the petitioner has submitted that the petitioner who was not named in the FIR was later on arrayed as an accused on the basis of alleged disclosure made by co-accused Jagjit Singh @ Uvi from whom the police is stated to have recovered 400 tablets of medical intoxicants on 21.07.2022. The counsel for the

petitioner has further submitted that the petitioner was was later on arrested on 22.07.2022. The counsel for the petitioner has further submitted that during investigation no contraband was recovered from the possession of the petitioner who was in custody for the last more than 3 months. The counsel for the petitioner has further stated that aforesaid co-accused Jagjit Singh @ Uvi has been granted regular bail by the learned Trial Court as in the present case non-commercial quantity of contraband was recovered. The counsel for the petitioner further made prayer that the petitioner is also entitled to grant of regular bail.

The present petition is opposed by the State counsel who has not disputed the fact that the present case is relating to recovery of non commercial quantity of medical intoxicants and that co-accused Jagjit Singh @ Uvi has been given benefit of regular bail by the trial Court. The State counsel has admitted the fact that the petitioner is in custody for the last more than 3 months and 28 days and after completion of investigation, the police has presented the challan.

I have considered the submissions made by the counsel for the parties.

As per the prosecution version non commercial quantity of medical intoxicant were recovered from the possession of Jagjit Singh @ Uvi by the police on 21.07.2022 and thereafter, the petitioner was nominated as an accused on the basis of disclosure

statement of said Jagjit Singh @ Uvi and thereafter, the petitioner was arrested on 22.07.2022. Admittedly, main accused Jagjit Singh has been granted regular bail by the trial Court vide order dated 26.10.2022 and copy of the same is placed on record. During investigation no contraband was recovered from the possession of petitioner and after completion of investigation, the police has presented the challan and it will take considerable time for the trial to conclude after its commencement.

In view of the above, no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus, without commenting on the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned.

Disposed of accordingly, so also the pending miscellaneous application(s), if any.

21.11.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No