

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44135-2022
DECIDED ON: 09.11.2022

JASWANT SINGH @ TONI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Upender Prasher, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition filed by the petitioner seeking regular bail in FIR No.210, dated 02.07.2022, under Sections 21, 27-A, 29 of the NDPS Act, 1985, registered at Police Station Division-B, Police Commissionerate, Amritsar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and the alleged recovery is of 20 grams of Heroin, which is non-commercial quantity. He further contends that co-accused namely Rajinder Singh @ Sonu and Gurbhej Singh @ Bheja have already been granted the concession of regular bail by the Court below vide order dated 05.08.2022 (Annexures P-2 and P-3), respectively.

On the other hand, learned State counsel has filed custody certificate of the petitioner today in the Court and the same is taken on

record. According to the custody certificate, the petitioner is already behind bars for the last 4 months and 15 days and there is one more case pending against the petitioner i.e. FIR No.142, dated 11.06.2016, under Sections 21-22-61-85 of the NDPS Act, Police Station Sultanwind, wherein the petitioner is on bail.

Looking at the totality of the facts and circumstances and in view of the fact that the conclusion of the trial is likely to take long time and the recovery from the petitioner is of non-commercial quantity, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

09.11.2022

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Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*