

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.52808 of 2021

Date of Decision: March 08, 2022

Gurjot Singh @ Jyoti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Sukhdeep Singh Bhinder, Advocate,
for the petitioner.

Mr.Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.157 dated 26.07.2021, under Sections 22, 25 N.D.P.S.Act, 1985 and Sections 181, 190(2), 192, 196 Motor Vehicles Act, registered at Police Station, Samrala, District Khanna, who is in custody since his arrest on 26.07.2021.

As per the allegations in the FIR, on 26.07.2021, police party headed by ASI Baldev Singh was present at main road opposite village Bardhala Chowki. At about 8.40 p.m., secret informer gave information that Gurjot Singh @ Jyoti is habitual of taking and selling intoxicants, who would be coming on his motor cycle bearing No.PB23-E-7828, towards Khanna side from Khamano side for selling the intoxicants, and if, checking is done, he can be apprehended. During checking, accused was apprehended and from his possession, 11 bottles of intoxicant syrup (AVIL) each

weighing 10 ML and 13 Legisic injections each weighing 2 ML were recovered.

Learned counsel for the petitioner contends that the narcotic substance (13 injections of Legisic) allegedly recovered from the petitioner is marginally above the non-commercial quantity and as the petitioner is not involved in any other case of similar nature, his further custody may not be necessary. He prays for bail.

On the other hand, learned State counsel, assisted by ASI Baldev Singh, does not dispute this fact that the investigation of the case is complete and charges have also been framed on 20.01.2022. He, on instructions, further states that the petitioner is not involved in any other case of similar nature.

Considering the above background, custody of the petitioner and the fact that the trial is yet to commence, this court is of the opinion that his further detention behind the bars may not serve any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Ludhiana.

March 08, 2022
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No