

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-56971-2022

Date of Decision: 12.12.2022

SUNIL BHATTI @ VEERU

... Petitioner

VS.

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Sohrab Dhanda, Advocate for
Mr. AS Manaise, Advocate for the petitioner

Mr. Aman Dhir, DAG Punjab

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.134 dated 11.06.2.022 under Sections 21/21(a)/22/27(a)/29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Gurdaspur, District Gurdaspur.

(2) Learned counsel for the petitioner contends that as per the allegations made in the FIR the petitioner was found to be in custody of 5 gms of heroin along with the polythene bag which is small in quantity.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Aman Dhir, DAG Punjab accepts notice on behalf of the respondent.

(5) On the other hand, learned State counsel has not controverted the quantity of the contraband and has placed on record the custody certificate dated 10.12.2022, which is taken on record. According to the same, the petitioner is already in custody for the last 6 months. He submits that challan has not yet been presented but investigation is complete and the petitioner is not required for custodial interrogation.

(6) Keeping in view the totality of the facts and circumstances and since the conclusion of the trial is likely to take time. No fruitful purpose would be served by keeping the petitioner behind the bars. Hence, this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaq Magistrate, concerned.

12.12.2022
V.Vishal

(Sandeep Moudgil)
Judge

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

Yes/No
Yes/No