

In virtual Court

CRM-M-52611-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52611-2019 (O&M)
Date of decision: 08.02.2022

Baljad Singh @ Jaadi

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Sandhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.28 dated 27.05.2019 under Section 22 of NDPS Act and Section 25 of Arms Act, registered at Police Station Sadar Rampura, District Bathinda.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police party headed by SI Harjiwan Singh noticed two persons carrying transparent polythene bag, in which strips of tablets were visible. On suspicion, they were apprehended and disclosed their names as Baljad Singh @ Jaadi (petitioner) and Lakhvir Singh @ Lakha. While checking, 250 strips of Tramadol were recovered. It is further submitted that though it was a case of chance recovery, however, in the FIR, it is stated that intoxicant tablets were visible.

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Learned counsel has further submitted that the petitioner is not involved in any other case under NDPS Act, though he is involved in two more cases; one under Section 302 IPC and another under Arms Act and closure report has been submitted. It is also submitted that as on today, the petitioner is in custody for the last 02 years, 08 months and 13 days and out of total 12 prosecution witnesses, none has been examined.

Affidavit of Deputy Superintendent of Police, Sub Division Phul, District Bathinda is on record, in which after verifying the contents of FIR, it is stated that the second Investigating Officer SI Kirpal Singh was called and thereafter, recovery was effected from the petitioner.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that except the present case, there are no other case against the petitioner under NDPS Act and also in view of the fact that the petitioner is in long custody and till date, no prosecution witness has been examined, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.02.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No