

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

**CRM-7935-2023 in/and
CRM-M-1197-2023
Date of Decision: 22.2.2023**

Mintu Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

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

Mr.J.P.Ratra, Sr.DAG, Punjab

ASHOK KUMAR VERMA, J.

CRM-7935-2023

This is an application for preponement of date of hearing in the main case. For the reasons recorded therein, the application is allowed and the date of hearing in the main case is preponed and the main case is taken up on board for hearing today itself.

CRM-M-1197-2023

The petitioner has filed this petition seeking grant of regular bail in case FIR No.65 dated 30.7.2022 under Section 22 (Act No.61) of NDPS Act, 1985 registered at Police Station Sherpur District Sangrur.

Learned counsel for the petitioner, *inter alia*, submits that the alleged recovery effected from the petitioner falls within non-commercial quantity. Learned counsel submits that although the petitioner is involved in number of other cases, but an opportunity should be granted to him to mend himself. The petitioner is in judicial custody since 30.7.2022 and no useful purpose would be served by keeping the petitioner behind the bars.

Notice of motion.

On the asking of this Court, Mr. J.P.Ratra, Sr.DAG, Punjab accepts notice accepts notice on behalf of the respondent-State.

Learned counsel for the State files custody certificate which is taken on record. He vehemently opposes the grant of regular bail to the petitioner on the ground that the petitioner is a habitual offender and is involved in number of criminal cases which are detailed in the custody certificate.

I have heard learned counsel for the parties and gone through the paper-book.

Prima facie, the alleged recovery effected from the petitioner falls within non-commercial quantity. The petitioner is behind bars since 30.7.2022 and no useful purpose would be served by keeping the petitioner behind the bars.

Considering overall facts and circumstances of the present case, the petitioner shall be released on regular bail subject to furnishing personal and surety bonds to the satisfaction of the trial court/Duty Magistrate. In case the petitioner is found involved in other case during the period on bail, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

Disposed of.

(ASHOK KUMAR VERMA)
JUDGE

22.2.2023

MFK

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No