

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 205

CRM-M-1933-2023

Date of decision : 03.03.2023

Harjit Singh @ Jeeti

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.J.K.Singla, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C. the petitioner seeks regular bail in FIR No.178 dated 01.09.2022 registered under Sections 22 and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City-2, Mansa, District Mansa.

The petitioner is being prosecuted for having found in illegal possession of alprazolam tablets the total weight of which is 99.4278 grams.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner is in custody since 01.09.2022; he does not have any other criminal antecedents; the investigation in the case is complete; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the alleged recovery of narcotic substances from the petitioner is of “non-commercial” quantity and that since none of the prosecution witnesses has been examined in the petitioner's trial, the same will take a long time to conclude.

Learned State counsel opposes grant of bail to the petitioner on the ground that the petitioner has been found in illegal possession of alprazolam tablets weighing 99.4278 grams and that if released on bail he is likely to indulge in similar offences.

The petitioner is in custody since 01.09.2022; he does not have any other criminal antecedents; the investigation in the case is complete; the alleged recovery of narcotic/psychotropic substance from the petitioner is of “non-commercial” quantity and that since none of the prosecution witnesses has been examined in the petitioner's trial, the same is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Mansa, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

03.03.2023
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No