

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

Sr. No.214

CRM-M-1902-2023

Date of Decision: January 18, 2023

Chhinder Singh

..Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. K.B.S. Mann, Advocate, for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

This petition has been filed for grant of regular bail in FIR No.115, dated 07.08.2022, registered at Police Station Sadar Jalalabad, District Fazilka, under Section 15 of NDPS Act, 1985 and Section 25 of the same Act added later on.

Learned counsel for the petitioner submits that recovery of 125 Kgs. of poppy husk was made from the truck in which the petitioner had taken a lift. He is neither the owner nor the driver of the said truck. Trial is not likely to be concluded at an early date. The petitioner does not have any criminal antecedents and thus, he may be granted regular bail.

Custody certificate dated 16.01.2023 checked by Sh. Varun Sharma, Jail Superintendent, District Jail Muktsar, Punjab has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 05 months and 10 days and there

are two other cases pending against him both under Section 138 of the Negotiable Instruments Act, 1881.

Learned State counsel concedes that challan has not yet presented.

It is thus evident that trial is not likely to be concluded at an early date. Keeping in view the custody period of the petitioner as well as the fact that no recovery was effected from his conscious possession and that there is no other criminal case pending against him (cases under the Negotiable Instruments Act, 1881 are civil in nature), I deem it appropriate to grant him regular bail. Accordingly, the petition is allowed. He is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

January 18, 2023

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No