

CRM-M-3191-2023

DECIDED ON: 25.01.2023

RAMZAN MOHAMMAD

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Ghulam Nabi Malik, Advocate
for the petitioner.SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in case FIR No. 56, dated 14.06.2022, under Sections 15, 61, 29 of NDPS Act and Section 25 of NDPS Act added later on, registered at Police Station Bhadson, District Patiala.

Learned counsel for the petitioner submits that the petitioner has been granted the same relief as has been prayed in the present petition vide order dated 10.11.2022 passed in CRM-M-35811-2022 but the offence under Section 25 of the NDPS Act has not been mentioned. Thereafter, the petitioner approached the trial Court seeking regular bail for the commission of offence under Section 25 of the NDPS Act but the trial Court has dismissed the application on the ground that no ground is made out to extend the concession of bail under Section 25 of the NDPS Act.

The learned trial Court has declined the prayer of the petitioner in such a casual manner without applying the judicious mind despite the fact that this Court has already granted the bail to the petitioner in the same FIR except under Section 25 of the NDPS Act.

In view of above facts and circumstances, the present petition is allowed and petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

25.01.2023

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No