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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-7523-2023

DECIDED ON: 16th FEBRUARY, 2023

INDERJIT SINGH @ NIKKAR

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Ms. Gurpreet Kaur, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 120, dated 22.09.2022, registered under Sections 21, 25, 27-A and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Bhindi Saidan, District Amritsar Rural.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is asserted that the alleged recovery of contraband from the conscious possession of the petitioner is 3 gms of heroin which is of non-commercial in nature and he is in custody since 22.09.2022.

The assertion is that the co-accused of the petitioner namely

Sandeep Singh @ Babbo has already been granted the concession of regular bail by this Court vide order dated 23.12.2022 passed in CRM-M-59563-2022 (Annexure P-2).

Custody certificate of the petitioner filed by the counsel for the State is taken on record.

In the light of the fact that the contraband recovered from the petitioner is of non-commercial in nature, who is already behind the bars from last 4 months and 25 days and also taken into consideration that the trial is likely to take some time and the petitioner is on bail in the other two cases, pending against him, this Court is of the considered view that no fruitful purpose will be served by keeping the petitioner behind bars.

The petitioner is directed to be released on regular bail on furnishing personal and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

16th FEBRUARY, 2023
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| 1. Whether speaking/ reasoned : | Yes / No |
| 2. Whether reportable : | Yes / No |