

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

**CRM-M-6525-2023
DECIDED ON: 13.02.2023**

GURJIT SINGH @ JEETA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. B.R. Rana-1, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.270, dated 17.09.2022, under Section 15 of NDPS Act. 1985, registered at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the petitioner contends that the alleged recovery of contraband is non-commercial in nature, where 8 kg of poppy husk was recovered from the possession of the petitioner and other 52 kg of poppy husk was recovered from his accomplice. He also states that the petitioner is already in custody wherein challan has been presented and he is not required for any custodial interrogation in any manner whatsoever.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 4 months and 26 days and he is involved in two other cases of NDPS itself where in one case, he is on bail and in another case he is on production warrants.

Considering the totality of the facts and circumstances of the case, that the contraband involved in the instant case is non-commercial in nature, therefore no useful purpose will be served by keeping the petitioner behind the bars, as such, the petitioner is directed to be released on regular bail on his furnishing personal and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

13.02.2023

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>