

226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6979-2023
DECIDED ON: 14st FEBRUARY, 2023

RAM KRISHAN

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. R.S. Sekhon, 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 FIR No. 209, dated 24.11.2022, under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station GRP, Ludhiana, District Ludhiana.

Learned counsel for the petitioner has contended that the alleged recovery from the petitioner is 1 kg of opium, which is non-commercial in nature. He further contends that despite non-commercial of the contraband recovered from the petitioner, he is behind the bars for the last 2 months and 19 days, who has been falsely implicated in the case.

Notice of motion.

On the asking of Court, Mr. Mohit Kapoor, Addl. AG, Punjab accepts notice on behalf of respondent-State, who has produced the custody

certificate of the petitioner today in Court, which is taken on record. According to which, the petitioner is behind bars for the last 2 months and 19 days. Though, as per the custody certificate the petitioner is also involved in another case of NDPS Act but he is on bail after having suffered incarceration for the period of 1 month and 13 days therein. Apart from that there is no other case is pending against the petitioner.

Considering the afore-said facts and circumstances and apart from the facts that the recovery effected from the petitioner is of non-commercial in nature; challan stands presented on 19.01.2023 and conclusion of trial shall take sufficient long time, this Court is of considered view that no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

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

The petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

14st FEBRUARY, 2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>