

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:123584
CRM-M-6828-2023
Date of Decision: September 20, 2023

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.148, dated 11.09.2022, under Section 22(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Malout, District Sri Muktsar Sahib.

As per prosecution allegations, 900 tablets containing the salt of alprazolam, were recovered from the possession of the petitioner on 11.09.2022. On analysis, each tablet is found to have average weight of 194.62 mg. Thus total weight of the intoxicant tablets was 174 grams, which is above the commercial category of 100 grams.

It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated; that he is in custody for the last more than 01 year and has no criminal antecedent. Learned counsel further submits that not even a single witness has been examined so far and the trial may take time to conclude.

Learned State counsel opposes the bail petition by pointing out towards the commercial category of the contraband recovered from the petitioner. However, it is conceded that petitioner has no criminal

antecedent. It is also informed that though the charges were framed on 04.01.2023, but not even a single witness has been examined so far, out of 14 witnesses cited by the prosecution.

As per the custody certificate placed on record by learned State counsel, petitioner is in custody for the last 01 year and 04 days with no criminal antecedent.

Having regard to the aforesaid facts and circumstances, but without commenting further anything on the merits of the case, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

September 20, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No