

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

**CRM-M-13907-2023
DECIDED ON: 17.05.2023**

SIMRAN SINGH ALIAS NIHANG

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. J.S. Mahal, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. 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. 0159, dated 15.07.2019, under Section 22 of NDPS Act, 1985, registered at Police Station Islamabad, District Police Commissionerate, Amritsar (Annexure P-1).

2. Learned counsel for the petitioner contends the petitioner was arrested on 18.09.2022, after he absented on 02.03.2022 and, thereafter, he has faced sufficient period i.e., 7 months and 90 days, as is evident from the custody certificate filed by learned State counsel today in Court.

3. Considering the facts that the contraband i.e., 107 tablets of *tramadol* involved in the instant FIR is non-commercial in nature; the trial is likely to take long time added with the fact that the petitioner is not involved in any other case of any nature whatsoever, which shows that he is not an habitual offender, no useful purpose would be served by keeping the petitioner

behind the bars for an indefinite period, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

4. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

5. The present petition is allowed in the aforesaid terms.

17.05.2023

Meenu

(SANDEEP MOUDGIL)
JUDGE

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