

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-23649-2023
Date of Decision: 15.05.2023

Gurnam Lal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

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

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J. (Oral)

1. Learned counsel for the petitioner has invoked jurisdiction of this Court vide second petition seeking regular bail to the petitioner in FIR No. 0102, dated 29.10.2020, under Sections 22(b) of NDPS Act, 1985 registered at Police Station Kalanaur, District Gurdaspur, the first one was dismissed as withdrawn vide order dated 02.03.2023.

2. The instant second petition of regular bail has been moved on the context that FSL Report has been received according to Tramadol which is alleged to have recovered from the possession of the petitioner and the same is non-commercial in nature.

3. Learned State Counsel has placed on record the custody certificate according to which he has suffered 6 months and 14 days of incarceration. He further contends that the petitioner does not deserve the

concession of regular bail as he is involved in various other cases. Though

the factum of non-commercial contraband recovered from the petitioner has not been controverted.

4. Looking into totality of the facts and circumstances that the challan has been filed and the FSL Report received and investigation is complete which has culminated into recovery of non-commercial quantity i.e 81 grams of Tramadol.

5. Trial is certainly to take long time which has not yet commenced and only charges have been framed on 15.04.2023. No useful purpose would be served by keeping the petitioner behind bars.

6. Apart from the custody period suffered by the petitioner, 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.

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

(SANDEEP MOUDGIL)
JUDGE

May 15, 2023
Rajeev (rvs)

Whether speaking/reasoned	Yes
Whether reportable	No