

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

CRM-M-25003-2023

Decided on:-22.05.2023

Vijay Kumar

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA J.

1. By way of present petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail in case FIR No.0092 dated 16.12.2022, under Section 22 of the NDPS Act, 1985, Police Station Amir Khas, District Fazilka.

2. As per the FIR, the petitioner has been implicated in the present case on account of alleged recovery of 390 tablets of Tramadol Hydrochloride.

3. Learned counsel for the petitioner submits that the petitioner is in custody for the last more than 5 months now and thus prays for grant of regular bail.

4. On the other hand, learned State counsel opposes the prayer made on behalf of the petitioner while submitting that the petitioner is involved in 02 other cases of similar nature, though, he is on bail in those cases being recovery of non-commercial quantity.

5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made on behalf of the petitioner.
6. Considering the fact that the petitioner is behind the bars for the last more than 5 months now; recovery in the present is non-commercial quantity; the investigation in the present case already stands concluded with the filing of challan and trial likely to take some time, I do not find any reason to extend the incarceration of the petitioner any further.
7. In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

22.05.2023

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(HARKESH MANUJA)
JUDGE

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