

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

Sr. No.103+207

CRM-15296-2023 in/and

CRM-M-37844-2022

Date of Decision : April 25, 2023

Saroj Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Karandeep Singh Sidhu, Advocate, for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

CRM-15296-2023

Allowed as prayed for.

Annexures P-3 to P-5 are taken on record. Exemption sought
is granted.

CRM-M-37844-2022

This petition has been filed for grant of regular bail in FIR
No.125, dated 24.05.2022, registered at Police Station Guru Harsahai,
District Ferozepur, under Section 22 of NDPS Act, 1985.

2. The aforementioned FIR was registered on account of recovery
of 200 tablets of Etizolam .5 mg and Elirelax .5 mg., each strip containing
10 tablets.

3. Learned counsel for the petitioner has submitted that no batch
number was mentioned on any of the strips. Only 02 strips i.e. 20 tablets
were sent for chemical examination and thus, it cannot be said that
commercial quantity of contraband was recovered. The petitioner has been

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in custody for more than 11 months and there is no other criminal case pending/decided against him. The trial is not likely to be concluded at an early date as only charges have been framed as yet.

4. Custody certificate dated 24.04.2023 checked by Sh.Gurnam Lal, Jail Superintendent, Central Jail, Ferozepur has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 11 months and 03 days and there is no other criminal case pending/decided against him.

5. Learned State counsel concedes that charges have been framed but examination of Pws has not yet commenced.

6. From the above, it can safely be stated that this case cannot be said to be one of recovery of commercial quantity of contraband. The trial is not likely to be concluded at an early date and keeping in view the period of custody undergone as well as the fact that there is no other criminal case pending/decide against him, the petitioner deserves the concession of regular bail.

7. The petition is allowed. He is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. Nothing stated hereinabove shall be construed to be an opinion on the merits of the case.

April 25, 2023 **(SUDHIR MITTAL)**
Ankur **JUDGE**

Whether speaking/reasoned	Yes
Whether Reportable	No