

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42692-2022

DECIDED ON: 9th JANUARY, 2023

SAJAN KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Tanvir Joshi, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in FIR No. 162, dated 05.07.2022, under Sections 22(b) of the NDPS Act (Section 29 of the NDPS Act added later on), registered at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the name of the petitioner has been surfaced on the basis of disclosure statement of the co-accused. It is asserted that the recovery of 200 intoxicating tablets of Clovedol-100 SR is alleged to be recovered from the co-accused of the petitioner, who have already been granted the concession regular bail by this Court vide orders dated 09.11.2022 and 15.12.2022 passed in ***CRM-M-50898-2022, titled as Tarsem Kumar vs. State of Punja and CRM-M-41706-2022, titled as Kuljinder Singh vs. State of Punjab***, respectively.

It is further asserted that in the present case mandatory provision of Section 50 and Section 42 of the NDPS Act have not been complied with.

Learned State counsel submits that the petitioner does not deserve the concession of regular bail as the petitioner is also involved in another case of similar nature. He further submits that challan stands presented on 21.08.2022.

Looking at the totality of facts and circumstances and in view of the fact that the conclusion of the trial is likely to take long time and the recovery is of non-commercial quantity, therefore, no fruitful purpose would be served by keeping the petitioner behind bars, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

9th JANUARY, 2023

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*