

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

Sr. No.205-a

CRM-M-44144-2022

Date of Decision : January 06, 2023

Rajender Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Amandeep Singh Samra, Advocate, for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

This petition has been filed for grant of regular bail in FIR No.127, dated 16.10.2020 registered at Police Station Banur, District Patiala, under Sections 22 & 61 of NDPS Act, 1985.

Learned counsel for the petitioner submits that recovery of 400 tablets of lomotil has been made from the petitioner which is non-commercial quantity. The petitioner has been in custody for over six months and there is no other criminal case pending/decided against him. The trial is not likely to be concluded at an early date and thus, regular bail may be granted.

Custody certificate dated 05.01.2023 checked by Harcharan Singh Gill, Additional Superintendent, Central Jail, Patiala, Punjab has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 06 months and 11 days and there is no other criminal case pending/decided against him.

Learned State counsel opposes the prayer for bail on the ground that Section 313 Cr.P.C. statement has already been recorded and the trial is likely to be concluded at an early date.

Considering the fact that non-commercial quantity of contraband has been recovered from the petitioner, he has no criminal antecedents and has undergone actual custody of 06 months and 11 days, I deem it appropriate to grant him regular bail. Accordingly, 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.

January 06, 2023

Ankur

Whether speaking/reasoned

Whether Reportable

(SUDHIR MITTAL)

JUDGE

Yes/No

Yes/No