

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

CRM-M-46246-2022

Date of Decision:17.08.2023

Jaggi Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Kanwar Inder Singh, Advocate
for the petitioner.

Mr. M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.49 dated 14.06.2022 registered under Sections 22/29/61/85 of NDPS Act, at Police Station Cheema, District Sangrur.

As per story of the prosecution, on suspicion, two persons, namely, Gurwinder Singh @ Happy and Simranjit Singh @ Jia were arrested by the police and after following the due procedure of law, 900 intoxicant tablets of Tramadol were recovered from them. During the course of their interrogation, both the said accused disclosed to the police that the intoxicant tablets were allegedly supplied to them by the present petitioner.

Learned counsel for the petitioner contends that the petitioner had no concern with the alleged crime and the recovery of 100 tablets of Tramadol was wrongly planted on him, which would also fall in non-commercial

category. Learned counsel further contends that he was arrested in the present case on 14.06.2022 and has suffered incarceration for more than one year and two months. Learned counsel further contends that only three witnesses, out of total 14 witnesses, have been examined so far and the conclusion of the trial may take a considerable time. He further contends that one more case under various provisions of Indian Penal Code was also registered against him, however, a cancellation report has been prepared in the said matter and no case under NDPS Act has been registered against the present petitioner.

On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

I have heard the learned counsel for the parties and perused the record.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

17.08.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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