

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

CRM-M-47482 of 2023

Date of decision: 25th September, 2023

Harpreet Singh @ Sahil

Petitioner

Versus

The State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. G. S. Bajwa, Advocate for the petitioner.
Ms. Navreet Kaur Barnala, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No.210 dated 18.7.2023, under Sections 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Special Task Force, District SAS Nagar.
2. The brief facts are that the police party on 18.7.2023 during routine patrolling checked car bearing registration No. PB-02-AC-8648 driven by Manpreet Singh, Gursimran Singh @ Simmu, Vishal Singh and Harpreet Singh @ Sahil (petitioner) were the occupants of the car and 270 grams, 150 grams, 260 grams and 120 grams *Heroin* respectively was recovered from their conscious possession.
3. Learned counsel for the petitioner submits that the petitioner is in custody since 18.7.2023; recovery is of non-commercial quantity; the petitioner is not involved in any other case under the Act and no further recovery is to be made.
4. Learned counsel for the State opposes the prayer for grant of regular bail. She submits that total 800 grams *Heroin* was recovered from the occupants of the car. She fairly submits that the petitioner is not

involved in any other case.

5. Without commenting on the merits of the case, considering that that contraband was recovered from the conscious possession of each of the accused; the recovery from the petitioner is of non-commercial quantity; no further recovery is to be made; the petitioner has clean antecedents and conclusion of investigation and trial is likely to take time; no useful purpose would be served by depriving personal liberty of the petitioner.
6. The petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.
7. The petition is allowed.

[AVNEESH JHINGAN]

JUDGE

25th September, 2023

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1. Whether speaking/ reasoned

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Yes / No
2. Whether reportable

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Yes / No