

2023:PHHC:157342

CRM-M-47560-2023

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

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CRM-M-47560-2023 (O&M)

Date of Decision:-08.12.2023

Paramjit Singh @ Pamma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Monika Tanwar, Advocate for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. Prayer is for grant of regular bail to the petitioner in case FIR No.75 dated 24.03.2023 under Section 21-C (Section 29 added later on) of the NDPS Act, 1985, registered at Police Station Special Task Force (STF), STF Wing, SAS Nagar, Mohali.

2. Custody certificate filed in Court today, is taken on record, subject to all just exceptions.

3. Learned counsel for the petitioner submits that the recovery is marginally above commercial quantity and as per the custody certificate filed by the learned State counsel, the petitioner is in custody for 08 months and 15 days.

4. Learned State counsel has submitted that in fact the trial has commenced and 04 out of 19 witnesses have been examined.

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5. Considering the fact that the petitioner is in medical exigency and trial is likely to take time to conclude, and further nothing more is to be recovered from him hence no useful purpose would be served by keeping the petitioner in custody.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
2. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

7. It is made clear that in case the petitioner is found involved in any other case after grant of bail, strict action shall be taken and the bail granted by this Court shall automatically stands cancelled.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

9. Pending miscellaneous application stands disposed of.

(ALOK JAIN)
JUDGE

08.12.2023

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Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No