

291 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49614-2023

Decided on:-18.12.2023

Manpreet Singh

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.25, dated 11.03.2023, registered under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Moonak, District Sangrur.

2. In the present case, the petitioner has been implicated for the alleged recovery of 6 small bottles of cough syrup make WINCIREX and 5 small bottles of cough syrup make MAAREX containing codeine and 12 strips containing 120 tablets of CARISOPRODOL.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while referring to the recovery involved in the present case, besides the custody part of the petitioner, thus, he prays for dismissal of the present petition.

4. I have heard learned counsel for the parties and gone through

the paper book. I find substance in the submissions made on behalf of the petitioner.

5. In the present case, the investigation already stands concluded with the filing of challan, followed by framing of charges. The petitioner has already suffered incarceration for more than 9 months and the trial is likely to take some time, as none of the prosecution witnesses has been examined out of total 16. In addition, no other case under NDPS Act registered against the petitioner, besides it, the alleged recovery of 11 vials of cough syrup is marginally higher than the non-commercial. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

18.12.2023
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(HARKESH MANUJA)
JUDGE

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