

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

**CRM-M-53834-2022 (O&M)
Date of decision: 10.02.2023**

Rajinder Singh @ Raju

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. S.S. Sidhu, Advocate for the petitioner.

Mr. H.S. Sullar, Sr. DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This is the 3rd petition filed under Section 439 Cr.P.C. seeking regular bail to the petitioner pending trial in case FIR No.14, dated 12.03.2019, under Section 22 of the NDPS Act, registered at Police Station Sadar Rampura, District Bathinda.

Counsel for the parties have been heard.

As per prosecution version, 15000 tablets of Clovidol-SR were allegedly recovered from the petitioner. Salt in question would be tramadol hydrochloride and in terms of weight the recovery is stated to be commercial in nature.

Be that as it may, Court has been informed that a co-accused has now been apprehended and a supplementary challan has been filed and now the stage before the trial Court is of framing of charge.

In other words the trial against the petitioner would now start *de novo*.

As per custody certificate furnished by learned State counsel, petitioner has already undergone an actual custody period of 3 years, 11

months and 2 days.

He is not stated to be involved in any other case under the NDPS Act.

Keeping in view the custody period already undergone and the factual premise as regards the trial starting *de novo* and take time to conclude, prayer made in the instant petition is allowed.

Petitioner be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

10.02.2023
harjeet

(i) Whether speaking/reasoned?	Yes/No
(ii) Whether reportable?	Yes/No