

S. No.217

2023:PHHC:164126

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

CRM-M-53239 of 2023

Date of Decision:20.12.2023

Amrik Singh

.....Petitioner

Vs.

State of Punjab

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manu Loona, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

Status report by way of affidavit of Shir Achhru Ram Sharma, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad has been filed on behalf of the respondent- State, along with the custody certificate.

As per allegations, 20 grams of heroin was recovered from possession of the petitioner on 26.08.2023.

It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated; that recovered quantity of contraband falls in non-commercial quantity; petitioner is in custody for the last more than three months and trial may take long time to conclude.

Learned State Counsel concedes the fact that quantity of contraband as recovered from the petitioner falls in non-commercial category. However, bail petition is opposed on the ground that petitioner is involved in three other cases, out of which two pertain to NDPS Act as is mentioned in the custody certificate.

Heard.

Custody certificate reveals that the petitioner is in custody for the last 03 months and 23 days. He is involved in two more cases pertaining to the NDPS Act but he is on bail in those cases.

Having regard to the fact that recovered quantity falls in the non-commercial quantity; the petitioner is on bail in two other cases under the NDPS Act and that the trial may take long time to conclude but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

December 20, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No