

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

CRM-M-53560-2023

Date of Decision: December 21, 2023

TAJINDERPAL SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Raj Kumar Gupta, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 read with Section 482 of CrPC, prayer has been made for grant of interim bail of two months in case FIR No.84 dated 29.05.2023 registered under Sections 22-C, 29, 61 and 85 of NDPS Act at Police Station Sirhind, District Fatehgarh Sahib, wherein, the petitioner has been implicated on the basis of disclosure statement made by one of the co-accused namely, Rohit against alleged recovery of 7,000 tablets of Tramadol, 12,600 tablets of Alprazolam and Rs.7,00,000/-.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the huge recovery referred in the FIR.
3. 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.

4. In the present case, no recovery was effected from the petitioner who was apprehended on the basis of disclosure statement made by co-accused namely, Rohit. The petitioner is already behind the bars for almost 6 months and 21 days whereas, the investigation in the present case already stands concluded with the filing of challan on 15.11.2023 and 35 witnesses have been cited by the prosecution; the trial, no doubt is likely to take some time. Moreover, citing medical reasons against his minor son who urgently requires a neuro surgery as advised by Garg Hospital (Multi-Specialty Centre, Moga) and there being no other case of NDPS Act pending against the petitioner in the peculiar facts and circumstances of the case, this Court does not find justification to extend his incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on interim bail for a period of two months subject to on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. In the meanwhile, the petitioner shall also be at liberty to seek regular bail.

21.12.2023
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>