

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

PARAMJIT SINGH ... PETITIONER

STATE OF PUNJAB ... RESPONDENT

Present: Mr. R.D.Rattewal, for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

VIVEK PURI, J. (ORAL)

Petitioner has prayed for grant of regular bail in case FIR No. 121 dated 28.11.2021, registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act (Section 29 of the Act added later on) at Police Station Rahon, District SBS Nagar.

Custody certificate has been taken on record.

Briefly, as per the allegations on 28.11.2021, the search of a polythene bag thrown by the petitioner led to the recovery of 11 injections of buprenorphine containing 2 ml each.

Learned counsel for the petitioner contends that the quantity of contraband recovered from the possession of the petitioner is marginally above the small quantity. The petitioner is in custody for a period of 1 year, 3 months and 28 days and is not involved in any other case. The investigation of the case is complete and the challan has been presented in the Court.

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This factual position has not been disputed by the learned State counsel and on instructions from ASI Gurjit Singh, he submits that till date out of 13, no witness has been examined.

In the instant case, the quantity of contraband recovered from the possession of the petitioner is marginally above the commercial quantity. The petitioner is in custody for a period of 1 year, 3 months and 28 days and is not involved in any other case much less under NDPS Act. Till date, out of 13, no witness has been examined. As such, the conclusion of trial is likely to take some more time and no fruitful purpose would be served by detaining the petitioner in further custody.

Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

29.03.2023

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No