

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-57044-2022

Date of Decision: 15.02.2023

Mandeep Singh @ Monu

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. R.S. Bhatta, Advocate for the petitioner.

Mr. J.P. Ratra, Sr. DAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 14.02.2023 filed by learned counsel for the State is taken on record.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 0159 dated 03.07.2022 registered under Section 22(b) of the NDPS Act at Police Station City Muktsar, District Muktsar Sahib.

According to the prosecution story, on 03.07.2022, in the area of Police Station City Sri Muktsar Sahib, the petitioner along with his co-accused was apprehended by the police. From the possession of the petitioner 330 tablets of Clobedon-100 SR and from his co-accused total 300 tablets of Clobedon-100 SR were recovered which they were carrying without permit of licence.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. The contraband

recovered from the petitioner falls under the category of 'non-commercial quantity'. The petitioner is not involved in any other case. Petitioner is in custody since 03.07.2022. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that the petitioner may be released on regular bail.

On the other hand learned State counsel has opposed the present petition. However learned counsel for the State has fairly conceded the fact that the petitioner is not involved in any other case.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the paper-book.

Keeping in view the facts and circumstances of the case, period of custody and the fact that the contraband recovered from the petitioner falls under the category of 'non-commercial quantity', but without commenting anything on merits of the case, the present petition is allowed.

The petitioner-Mandeep Singh @ Monu, is ordered to be released on regular bail subject to furnishing her bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

February 15, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No