

CRM-M-55444-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-55444-2023
Date of Decision:-09.11.2023

Kamaljeet Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Gautam Kumar, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. Prayer is for grant of regular bail to the petitioner in case FIR No. 95 dated 17.09.2022 under Sections 22 and 29 of the NDPS Act, 1985, registered at Police Station Sandaur, District Malerkotla.
2. Learned counsel for the petitioner submits that the petitioner is in custody since 19.09.2022 and more so, the challan has been presented and the charges have also been framed. It is further submitted that the authorities have purposefully impose and shown the quantity of 252.59 grams of Tramadol Hydrochloride tablets, whereas, it was slightly above 250 grams and therefore, comes under the purview of commercial quantity.
3. Learned State counsel has filed the custody certificate of the petitioner in Court today, which is taken on record, subject to all just exceptions and does not dispute the aforesaid facts.

CRM-M-55444-2023

4. After hearing learned counsel for the parties and the fact that the petitioner is in custody for last 01 year 01 month and 19 days and the trial is likely to take long time, coupled with the fact that there is no other case against the petitioner and no useful purpose would be served by keeping the petitioner in custody.

5. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
2. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

6. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

09.11.2023*parul*

(ALOK JAIN)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No