

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60487-2022 (O&M)
Date of Decision: 06.01.2023

Narinder Kumar

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Peeush Gagneja, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 79 dated 17.09.2022 under Sections 22 of NDPS Act registered at Police Station City-2, Abohar, District Fazilka, who is alleged to have possessed contraband of 170 tablets of Alprazolam, which falls under the ambit of non-commercial quantity.

Custody certificate filed by the respondent-State is taken on record.

Learned counsel for the petitioner contends that the petitioner is in custody since 17.09.2022. He submits that the petitioner has been falsely implicated in the present case as the recovery effected from him is of non-commercial nature. He further submits that the investigation is complete in the matter as the challan stands presented and charges have

been framed and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Gurmeet Singh, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature but does not dispute the fact that the challan stands presented and the charges have been framed.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 17.09.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the trial would take sufficient time to conclude, no useful purpose would be served in keeping the petitioner behind bars

Resultantly, without meaning 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 trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

06.01.2023

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