

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:146191
CRM-M-60808-2022 (O&M)
Date of Decision: November 17, 2023

Buta Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.S. Sandhu, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

CRM-23438-2023

This is an application to place on record the complete true translated copy of the FIR as Annexure P-3.

Allowed.

Annexure P-3 is taken on record.

Main Case

By way of this petition filed under Section 439 Cr.P.C., prayer is made for grant of regular bail in case FIR No.0077 dated 22.06.2021, under Section 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred as 'the NDPS Act'), registered at Police Station Dialpura, District Bathinda.

As per prosecution allegations, 1220 intoxicant tablets containing the salt of tramadol HCL were recovered from the possession of the petitioner. The total weight of the contraband was 273.968 grams, which falls in the commercial category, which starts from 250 grams.

It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that he is in custody for the last

more than 02 years and 04 months and that the trial may take time to conclude, so petitioner be allowed bail.

Learned State counsel has opposed the bail petition by pointing out towards the fact that the recovered quantity falls in the commercial category. By pointing out towards the custody certificate, learned State counsel also submits that the petitioner is involved in two more cases of NDPS Act. It is also pointed out by learned State counsel that out of 10 witnesses cited by the prosecution, only 06 have been examined.

Heard.

Custody certificate placed on record by learned State counsel reveals that petitioner is in custody for the last 02 years, 04 months and 13 days, although, he is involved in two more cases of NDPS Act.

It is stated by learned counsel for the petitioner that both those cases pertain to non-commercial quantity and in those cases, he is on bail.

Having regard to the aforesaid facts and circumstances, particularly, the custody period and that the trial may take time to conclude, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

November 17, 2023
sarita

(DEEPAK GUPTA)
JUDGE