

CRM-M-416-2024

244 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-416-2024  
Decided on:-19.01.2024

Balwinder Singh @ Doda ....Petitioner..

vs.

State of Punjab ....Respondent.

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Ms. Suman Kumari and  
Mr. Himanshu Seth, Advocate  
for the petitioner.  
  
Mr. G.S. Dhillon, AAG, Punjab.

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**HARKESH MANUJA J. (Oral)**

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.134, dated 17.09.2023, registered under Sections 22 and 27 of the NDPS Act, 1985, at Police Station Kot Ise Khan, District Moga.
2. In the present case, the petitioner was apprehended with one injection of '*Diacetylmorphine*'.
3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel.
4. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.
5. Admittedly, the petitioner is man of 35 years of age, who is

behind the bars for the past 01 months & 07 days and the investigation in the present case already stands concluded with the filing of challan. Moreover, no other case of NDPS Act is pending against the petitioner. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed to be as expression of an opinion on the merits of the case.

19.01.2024  
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(HARKESH MANUJA)  
JUDGE

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|----------------------------|---------|
| Whether speaking/reasoned: | Yes/No  |
| Whether reportable:        | Yes/ No |