

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CRM-M-4342-2024
Date of Decision:13.03.2024

GURSEWAK SINGH ALIAS GURPAL SINGHPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Inder Pal Singh, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition under Section 439 Cr.P.C. is for grant of regular bail in case FIR No. 0087 dated 03.11.2022, registered under Sections 21, 22 and 29 of NDPS Act, 1985 at Police Station Valtoha, District Tarn Taran.

2. Status report by way of affidavit of Preet Inder Singh, PPS, Deputy Superintendent of Police, Sub Division Valotha, Camp at Bhikhiwin, District Tarn Taran has been filed on behalf of respondent-State and the same is taken on record.

3. As per the allegations, 630 loose intoxicant tablets were recovered from the possession of the petitioner on 03.11.2022 and on analysis, the tablets were found to contain the salt of Tramadol Hydrochloride with total weight of 321.3 grams.

4. Learned counsel contends that the petitioner has been falsely implicated; that the petitioner is in custody for last more than 01 year; trial is likely to take long time to conclude.

5. Learned State counsel has opposed the bail petition by submitting that petitioner is involved in one more similar case of NDPS Act. He has also placed on record the custody certificate which reveals that he is in custody for the last 01 year and 07 days and he is involved in one more case.
6. Learned counsel for the petitioner has drawn attention of this Court to the FIR in another case (Annexure P-2), so as to contend that in that case also petitioner was falsely implicated.
7. Learned State counsel informs that out of total 09 prosecution witnesses only 03 witnesses have been examined so far. Thus, trial is likely to take long time to conclude.
8. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, petition is allowed. Petitioner is admitted to regular bail and is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

13.03.2024

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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes
Whether Reportable	No