

CRM-M-5337-2024

226 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5337-2024
Decided on:-06.02.2024

Jaspreet SinghPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tarun Vir Singh Lehal, Advocate and
Mr. Dushant Jog, Advocate,
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

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.188, dated 17.10.2023 registered under Sections 18-A, 27-A, 29 and 21-B of NDPS Act, 1985, at Police Station Dinanagar, District Gurdaspur.

2. Learned counsel for the petitioner submits that the petitioner has been implicated for the alleged recovery of 24 grams of “*Opium*” besides a sum of Rs.16,77,600/- being the drug money.

3. The prayer made on behalf of the petitioner has been opposed at the instance of learned State counsel while referring to the huge recovery of drug money involved in the present case.

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 recovery in the present case is only 24 grams of ‘*opium*’ and the petitioner is not involved in any other case of NDPS Act. As regards the recovery of an amount of Rs.16,77,600/- being drug money is concerned, that is yet to be established during trial, which is likely to take some time.

Considering the custody period of the petitioner i.e. 3 months & 15 days, I do not find any justification to extend the incarceration of the petitioner.

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 as an expression of opinion on the merits of the case.

06.02.2024
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(HARKESH MANUJA)
JUDGE

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