

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CRM-M No.5676 of 2024
Date of Decision: 07.02.2024

SUNNY SINGH ALIAS KALAPetitioner

Vs
STATE OF PUNJABRespondent

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

Present: Mr. Kanisth Ganeriwala, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, Asstt. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.197 dated 12.12.2023 registered under Section 22 of NDPS Act, 1985 at Police Station Barnala, District Barnala.
2. Learned counsel for the petitioner submits that the petitioner has been implicated with the allegations of possessing 200 tablets of Tramadol.
3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while referring to the involvement of the petitioner in other similar cases under the NDPS Act.
4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, the investigation already stands concluded with the filing of challan and the petitioner has already suffered incarceration for a period of approximately 02 months; recovery in the present case is of non-commercial quantity besides the recovery involved in other three cases is also of non-commercial quantity.

6. Considering the fact that the petitioner is a young boy of 30 years of age; besides he has already suffered incarceration for a period of 02 months and the trial will take sometime in its culmination, I do not find any justification to extend the incarceration of the petitioner.

7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

8. Considering the fact that the petitioner has indulged himself in 04 similar cases under the NDPS Act; in case he is found involved in any other case of similar nature, the prosecution will be at liberty to seek cancellation of his bail.

February 07, 2024
Atik

(HARKESH MANUJA)
JUDGE

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