

**222 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-6596-2024
Decided on:-02.05.2024**

Kamaljit Singh @ Pamma

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sahil Vashishat, Advocate,
for the petitioner.

Mr. Rahul Jindal, 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.111, dated 16.12.2023, registered under Section 21(b) of the NDPS Act, 1985, at Police Station Daresi, Ludhiana, wherein, the petitioner has been implicated for the alleged recovery of 110 grams of “heroin”.

2. Prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in 03 more cases under the provisions of NDPS Act, besides one case under the provisions of Indian Penal Code involving 379-B thereof and thus, prays for dismissal of the present petition.

3. 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.

4. In the present case, the investigation already stands concluded with the filing of challan followed by framing of charges and trial is likely to take some time as none of the prosecution witnesses has been examined so far. Moreover, the recovery involved in the present case is of non-commercial quantity and the petitioner is behind the bars for the last almost 4½ months. As regards the involvement of the petitioner in other cases, undisputedly, all the three cases under the provisions of NDPS Act, relate to non-commercial quantity.

5. 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 may be pointed out here that the petitioner is already involved in 04 cases excluding the present petition and in case of any further implication, the State shall be at liberty to seek cancellation of the present order granting him regular bail.

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

02.05.2024
sonika

(HARKESH MANUJA)
JUDGE

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