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2024:PHHC:029713

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-7520-2024

Date of Decision: March 01, 2024

RAJINDER SINGH @ RAJA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. K.B.K. Mann, Advocate for the petitioner.
Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 257 dated 28.10.2022 registered under Section 15(b) of NDPS Act at P.S. Lambi, District Sri Muktsar Sahib wherein, the petitioner has been implicated against the alleged recovery of 12 kilograms of poppy husk.
2. Learned State counsel files Custody certificate today in Court, the same is taken on record. Learned State counsel opposes the prayer made herein while referring to the involvement of petitioner in two other cases of NDPS though amounting to non-commercial quantity.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, investigation stands concluded with the filing of challan followed by framing of charges whereas, only one of the

witness has been examined so far out of the total 30 cited by the prosecution and the petitioner is already behind the bars for a period of 1 year and 4 months by now, as such, this Court does not find justification to extend his incarceration any further especially, when the involvement of petitioner in other cases relates to non-commercial quantity and he is already on bail in one of the cases.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, 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 learned trial Court/Duty Magistrate.

01.03.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>