

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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2024:PHHC:025151
CRM-M-8633 of 2024
Date of decision: 22.02.2024

Gurmeet Singh alias Gurmeet Ram ..Petitioner

Vs.

State of Punjab ..Respondent

CORAM:HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Chetan Goyal, Advocate
for the petitioner.

Mr. Siddharth Sandhu, 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.127, dated 28.06.2023, registered under Sections 29/61/85 of the NDPS Act, 1985 and Section 411 IPC, at Police Station Lehra, District Sangrur.

2. In the present case, the petitioner has been implicated for the alleged recovery of 1350 intoxicant tablets of Tramadol Hydrochloride and 420 intoxicant tablets of Alprazolam.

3. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the custody of the petitioner is 5 months and 8 days and thus, he does not deserve the concession of bail.

4. I have heard 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 1350 intoxicant tablets of Tramadol Hydrochloride and 420 intoxicant tablets of Alprazolam

and the petitioner is behind the bars for the last 05 months and 08 days, who is a young man of 28 years of age. The investigation in the present case stands concluded with the filing of challan followed by framing of charges. The petitioner was implicated on the basis of disclosure statement made by the co-accused Jeet Singh @ Gora. Though, no recovery has been effected from the present petitioner, besides it, there is no other case pending against him. 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 is made clear that this order may not be construed as an expression of opinion on the merits of the case.

22.02.2024
Poonam Sharma

(HARKESH MANUJA)
JUDGE

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