

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234

2024:PHHC:025118
CRM-M-8634 of 2024
Date of decision: 22.02.2024

Ravi Kumar @ Ravi

..Petitioner

Vs.

State of Punjab

..Respondent

CORAM:HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manoj R. Sharma, 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.85, dated 11.09.2023, registered under Sections 22, 27-A and 29 of the NDPS Act, 1985, at Police Station Qadian, Police District Batala, District Gurdaspur.
2. In the present case, the petitioner has been implicated for the alleged recovery of 210 tablets of 'Tramadol'.
3. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner was involved in three more cases under the NDPS Act, besides one case under the Punjab Excise Act, 1914 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, investigation already stand concluded with the

the earliest. As per the learned State counsel, the petitioner is behind the bars for the last 05 months and 10 days, who is a young man of 45 years of age and his co-accused namely Gurjant Singh has already been granted the concession of regular bail by this court in CRM-M-56121 of 2023 vide order dated 30.01.2024. Though, as per the custody certificate, the petitioner is shown to have been involved in three more cases under the NDPS Act, however, in all the three cases, recovery was non commercial in nature. 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