

CRM-M-9337-2024

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

(220)

CRM-M-9337-2024
Date of Decision:-27.02.2024

Prabhjot Singh @ Babbu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Digvijay Singh, Advocate for
Mr. Keshavam Chaudhri, Advocate for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition is for grant of regular bail to the petitioner in case FIR No.12 dated 22.01.2023, under Section 18 of the NDPS Act, registered at Police Station Beas, District Amritsar Rural.
2. Learned counsel for the petitioner submits that the contents of the FIR are false and the petitioner has been wrongly implicated in the present FIR.
3. *Per contra*, learned State counsel has filed the custody certificate which is taken on record and submits that the challan has been presented and none of the prosecution witnesses has been examined.
4. Heard the learned counsel for the parties.
5. Considering the fact that the petitioner has clean antecedents

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and the quantity of the contraband in the present case is marginally above the commercial quantity coupled with the fact that the petitioner is in custody for the last 01 year, 01 month and 02 days and the trial is likely to take time, therefore, no useful purpose would be served by keeping the petitioner in custody.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- ❖ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

7. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused.

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9. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

(ALOK JAIN)
JUDGE

February 27, 2024.
Sandeep

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No