

217

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18093 of 2024
Date of Decision: 19.04.2024

Bobby Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kulwinder Singh, Advocate
for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail to the petitioner in FIR No.0060, dated 07.09.2023, under Sections 21, 27A, 29 and 61 of the NDPS Act, 1985, registered at Police Station Jhander, District Amritsar.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present petition and the allegation against the petitioner is for recovery of Rs.26,500/- which has been shown as a drug money. He further submits that even otherwise, it is 55 grams of heroin which has been found in the bag and that too recovered from the possession of the co-accused and the same is non-commercial quantity. He further submits that the petitioner is not involved in any other case and co-accused Manjit Kaur had already been granted the concession of regular bail by this Court, vide order dated 11.03.2024.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. He prays for dismissal of the present

petition stating that the allegations against the petitioner are serious in nature and the petitioner was part of the group which was dealing in the drug peddling.

Be that as it may, considering the fact that investigation is complete and charges have been framed on 18.03.2024 and the custody period undergone by the petitioner i.e. 07 months and 12 days as of now, who is a person of clean antecedents as is evident from the custody certificate added with the fact that out of total 14 prosecution witnesses, none has been examined so far which is suffice to infer for this Court that the conclusion of trial shall take considerable time, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

In view of the above, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

In the aforesaid terms, the present petition is, hereby, allowed.

However, it is made clear that any observation made hereinabove, shall not be construed as an expression of opinion on the merits of the case.

19.04.2024

D.Bansal

(SANDEEP MOUDGIL)
JUDGE

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