



CRM-M No.22214 of 2024

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

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**CRM-M No.22214 of 2024
Date of Decision: 09.05.2024**

VARINDER SINGH ALIAS GABBARPetitioner

Vs
STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Digvijay Nagpal, Advocate
for the petitioner.

Mr. Rahul Jindal, Asstt. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

1. By way of third petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.108 dated 27.09.2022 registered under Section 22(C), 61, 85 of NDPS Act at Police Station Badali Ala Singh, Fatehgarh Sahib, District Fatehgarh Sahib, Punjab.
2. Learned counsel for the petitioner submits that the petitioner has been implicated with the alleged recovery of 20 injections of Buprenorphine along with 20 injections of Avail from him.
3. The prayer made on behalf of the petitioner has been opposed by learned State counsel by referring to the serious nature of allegations leveled against the petitioner besides recovery of intoxicating material from him.



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4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.
5. In the present case, the investigation already stands concluded with the filing of challan followed by framing of charges. Petitioner is not involved in any other case of similar nature and is behind the bars for 01 year and 08 months. Out of total 14 prosecution witnesses only one witness has been examined in-chief, thus, the trial will take sometime in its conclusion
6. Considering the fact that the petitioner has already suffered incarceration for a period of almost 01 year and 08 months and is not involved in any other case of similar nature, I do not find any justification to extend the incarceration of the petitioner.
7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.
8. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

May 09, 2024
Atik

Whether speaking/reasoned
Whether reportable

(HARKESH MANUJA)
JUDGE

Yes/No
Yes/No