



CRM-M No.24863 of 2024

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

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**CRM-M No.24863 of 2024
Date of Decision: 22.05.2024**

SANJAY KUMAR**.....Petitioner****Vs****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Ms. Arshdeep Kaur, Advocate for
Mr. Yashpal Thakur, Advocate
for the petitioner.

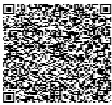
Mr. Karunesh Kaushal, Asstt. A.G., Punjab.

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.130, dated 24.10.2021, registered under Section 22-C/29/61/85 of NDPS Act, 1985, at Police Station Khamanon, District Fatehgarh Sahib, Punjab.

2. In the present case, the petitioner along with his co-accused was apprehended and recovery of 200 injections of 'Buprenorphine' and 175 vials of 'Avil' was effected.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while referring to the huge recovery of contraband and involvement of the petitioner in one more case under the provisions of NDPS Act.



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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 petitioner is behind the bars for the past almost 02 years & 06 months, the investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and so far only 03 prosecution witnesses have been examined out of total 26 witnesses as cited by the prosecution. Moreover, as regards involvement of the petitioner in other case, admittedly he is on bail. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.
6. 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.
7. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

May 22, 2024
Atik

(HARKESH MANUJA)
JUDGE

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