

2024:PHHC:101626



216 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28920-2024
Decided on:-07.08.2024

Waseem Ahmad @ Washim AhmedPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Randeep Singh Waraich (Rana), Advocate,
for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.03 dated 06.01.2024, registered under Section 22 of the NDPS Act, 1985 at Police Station Sadar Khanna, Police District Khanna, District Ludhiana, wherein the petitioner has been implicated along with his co-accused with the allegations of having recovered 11 vials of Rekof (100 ml each i.e. 1100 ml).
2. On the other hand, the prayer has been vehemently opposed at the instance of learned State counsel while referring to the recovery involved in the present case.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges and trial is likely to take some time. The petitioner is a young man of 39 years of age, who is in custody for the past 07 months, besides it, he is not involved in any other case. Moreover, the recovery involved in the present case is marginally higher than the non-commercial quantity.

5. Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

6. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

07.08.2024
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(HARKESH MANUJA)
JUDGE

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