



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

CRM-M-32015-2024
Date of decision: 11.12.2024

Harpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. V.S. Rana, Advocate for the petitioner.

Mr. Ajaib Singh, Addl. A.G. Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking grant of regular bail in a criminal case having FIR No.147 dated 19.10.2018, under Section 21 of NDPS Act and Section 25/27 of Arms Act, registered at Police Station Maqsudan, District Jalandhar Rural.
2. The allegations in nutshell are that police arrested the present petitioner along with three other persons and recovered 200 grams of heroin from the petitioner.
3. The counsel for the petitioner *inter alia* submits that the other accused who were arrested along with the petitioner from the spot are already given concession of bail. It is further submitted that the recovery effected from the petitioner comes under non commercial quantity and the petitioner is in custody for the last more than 6 years and it will take time for the trial to conclude, as till date, the prosecution is able to partly examine only two witnesses. So, prayer is made that the petitioner be released on



regular bail, pending trial.

4. The present petition is resisted by the State counsel who submits that police recovered 200 grams of heroin from the present petitioner. It is further submitted that trial is going on. However, the State counsel has not disputed the fact that the total custody period of the present petitioner comes out to be more than 6 years and that the trial is at its initial stage.

5. I have considered the submissions made by counsel for the parties.

6. The aforesaid recovery of 200 grams of heroin comes under non commercial quantity. Undoubtedly, the petitioner is incarcerated for the last more than 6 years and it will take time for trial to terminate. In the given circumstances, no purpose is going to be served by prolonging the judicial custody of the petitioner.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11.12.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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