



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 36058 of 2024 (O&M)
Date of Decision: 02.08.2024

Pargat Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vijay Lath, Advocate
for the petitioner.

Mr. Siddharath Sandhu, Assistant Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present (second) petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No. 0012, dated 19.01.2023, under Section 22 of NDPS Act, 1985 (Sections 27 & 29 of NDPS Act added later on), registered at Police Station Nurpur Bedi, Tehsil Sri Anandpur Sahib, District Rupnagar, Punjab, wherein he alongwith one Balbir Singh has been implicated against the alleged recovery of 14 injections of Buprenorphine Injection Ip Leegessic and 13 injections of Avil.

[2] Learned counsel for the petitioner submits that the petitioner is in custody since 19.01.2023 and the trial of case may take long time; thus, prayer is for grant of bail.

[3] Learned State Counsel vehemently opposes the prayer made on behalf of the petitioner, while referring to the antecedents of the petitioner, who is stated to be involved in one more case under the provisions of NDPS Act,

1985, though relating to non-commercial quantity, thus, prays for dismissal of the present petition.

[4] After hearing learned counsel for the parties and having through the paper-book, I find substance in the submissions made by learned counsel for the petitioner.

[5] In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges and the petitioner is behind the bars since 19.01.2023, i.e. for the last more than one year and six months; however, only five prosecution witnesses have been examined so far. As regards the other case pending against the petitioner involving under the provisions of NDPS Act, it is not disputed that the same relates to non-commercial quantity, wherein he has already been granted the concession of regular bail. In view thereof, 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.

[8] Pending miscellaneous application(s), if any, shall also stand disposed off.

August 02, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No