

2024:PHHC:098804



210 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36057-2024
Decided on:-02.08.2024

Kiran KumarPetitioner..

VS.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

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

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.348 dated 24.11.2023, registered under Sections 21 & 22/61/85 of the NDPS Act, 1985 at Police Station City Rajpura, District Patiala, wherein the petitioner has been implicated with the allegations of having recovered 25 grams of 'heroin'.
2. On the other hand, the prayer has been vehemently opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in five more cases, though, under the provisions of IPC.
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, however, the charges are yet to be framed and, thus, trial is likely to take some time. The petitioner is in custody for the last 08 months & 4 days. Moreover, the recovery involved in the present case is of 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.

02.08.2024
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(HARKESH MANUJA)
JUDGE

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