



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

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CRM-M-37777-2024

Date of decision: 23.10.2024

MONEY SINGH

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Harnaaz Kaur Hundal, Advocate with
Ms. Taranjit Kaur Hundal, Advocate for the petitioner.

Mr.Amit Rana, Sr.DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 in case FIR No.19 dated 26.03.2024 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Lambran, District Jalandhar Rural, Punjab.

2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that he has never been previously involved in any other case under the NDPS Act. Further, it has been argued that a recovery of 60 loose tablets of Etizolam was planted upon the petitioner as he was being pressurised to part with money by the police as he had recently returned from abroad. However, since he refused to budge and oblige the police, the recovery in question was planted upon him. Learned counsel has further submitted that since investigation in the present case is complete and challan also stands

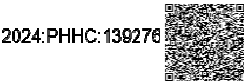


presented, his further incarceration would serve no useful purpose moreso when he has no previous criminal antecedents. Furthermore, the trial would take considerable time to conclude as 13 witnesses have been cited by the prosecution and none have been examined till date. Learned counsel submits that the petitioner may be put to any stringent conditions while being enlarged on bail.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner and also the factum of the petitioner not being involved in any other case under the NDPS Act. He has, however, submitted that the petitioner was nabbed on suspicion and thereafter 60 loose tablets of Etizolam were recovered from his personal search. Learned State counsel has submitted that the next date fixed before the trial Court is 25.10.2024 when in all likelihood, charges would be framed against the petitioner.

4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. The petitioner was allegedly nabbed on suspicion and thereafter the aforementioned recovery affected from him. The petitioner is not stated to be involved in any other criminal case much less under the NDPS Act. The trial would take considerable long time to conclude as charges are likely to be framed only on the next date of hearing coupled with the fact that as many as 13 witnesses have been cited and none have been examined till date.



In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

October 23, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

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