

291 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40496-2023
Decided on:-01.05.2024

Ramandeep Singh @ Mika

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sumit Dua, Advocate for
Mr. Amrit Singh Kang, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.36, dated 19.04.2023, registered under Section 15(c) of the NDPS Act, 1985, at Police Station Bhogpur, District Jalandhar, Rural wherein, the petitioner has been implicated for the alleged recovery of 51 kg and 800 grams of “*poppy husk*”.

2. Prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in 01 more case under the provisions of NDPS Act involving 20 kg of poppy husk and thus, prays for dismissal of the present petition.

3. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the

petitioner.

4. In the present case, the petitioner is behind the bars for the last almost 01 year & 1 month; the investigation already stands concluded with the filing of challan followed by framing of charges and trial is likely to take some time as none of the prosecution witnesses has been examined so far, besides it, recovery involved in the present case is marginally higher than the non-commercial quantity. As regards the involvement of the petitioner in another case, recovery is of non-commercial and he is on bail in that case.

5. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

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

01.05.2024
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(HARKESH MANUJA)
JUDGE

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