

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106+218 CRM-51445-2023 in/and
CRM-M-46759-2023
Date of Decision.:01.02.2024

Tajinder SinghPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.S. Aulakh, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab
assisted by ASI Baljinder Singh.

DEEPAK GUPTA, J. (ORAL)

CRM-51445-2023:

This is an application under Section 482 Cr.P.C. to place on
record copy of FSL report as Annexure P-4.

- 2. Allowed.
- 3. Annexure P-4 is taken on record.

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- 4. Status report by way of an affidavit of Shri Jaspal Singh,
PPS, Deputy Superintendent of Police, Sub-Division Lambi, District Sri
Muktsar Sahib along with custody certificate has been filed on behalf of
respondent- State.

5. The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.102 dated 26.07.2023 registered under Section 22(b) NDPS Act registered at Police Station Kabarwala, District Sri Muktsar Sahib.

6. As per allegations, petitioner was apprehended while riding car I-10 on 26.07.2023 and from his possession 260 tablets of Clovedol-100 SR and Tramadol HCL, were recovered. The weight of the said salt was found to 87.88 grams.

7. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that the recovered quantity of contraband falls in the non-commercial category; that petitioner is in custody for the last more than 06 months; that trial may take time to conclude and so, he be allowed bail.

8. Learned State counsel does not dispute the fact that recovered quantity falls in the non-commercial category. However, bail petition is opposed on the ground that petitioner is involved in 02 other cases pertaining to NDPS Act.

9. Perusal of the custody certificate reveals that petitioner is in custody for the last 06 months and 07 days. Though he is involved in two more cases of NDPS Act but he is on bail in both those cases. Learned State counsel, on instructions from ASI Baljinder Singh also informs that though charges have been framed but not even a single witness has been examined so far and thus trial is likely to take long time to conclude.

10. Having regard to the above facts and circumstances, but without

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commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

February 01, 2024
Neetika Tuteja

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