



CRM-M-45477-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(334)

CRM-M-45477-2024
Date of Decision: 18.09.2024

Amarjit @ Ambu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manoj R. Sharma, Advocate, for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA, J.(ORAL)

[1] By way of present 4th petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail in case FIR No.245 dated 21.12.2022, registered under Sections 22(C), 29 NDPS Act at Police Station Dinanagar, District Gurdaspur wherein the petitioner has been implicated against alleged recovery of 1010 intoxicant tablets containing 125.24 Grams of Alprazolam.

[2] On the other hand, the 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 two more cases of NDPS Act which resulted into his conviction; though relating to non-commercial quantity.

[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* followed by framing of charges. Out of total 9

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prosecution witnesses, 4 have been examined so far and thus, the trial is not likely to conclude in near future. Petitioner is in custody for the past 1 year and 9 months and other cases being related to 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.

(HARKESH MANUJA)
JUDGE

18.09.2024
anil

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