





recovery of commercial quantity of contraband by calculating the entire recovery effected from petitioner and his two co-accused as a commercial quantity. It is further submitted that actually all three recoveries are separate regarding which separate recovery memos were prepared and the alleged recovery of 20 tablets of Etizolam from possession of the petitioner comes under non-commercial quantity and that the petitioner is having no other criminal case. Is if further submitted that petitioner is incarcerated for the last more than 3 months and on culmination of investigation, challan has been presented but it will take time for the trial to conclude.

4. Notice of motion.

5. Mr. Inderjeet Singh Ladher, DAG, Punjab accepts notice on behalf of the State and on instructions from SI Varun Kumar submits that all three persons including the present petitioner were apprehended at the spot and separate recoveries were effected from them. That 20 tablets of Etizolam were recovered from possession of the present petitioner regarding which he failed to produce any medical prescription or license. However, the State counsel has not disputed the fact that aforesaid 20 tablets of Etizolam falls under non-commercial quantity and further that the petitioner is not involved in any other criminal case.

6. I have considered the submissions made by the counsel for the parties.

7. Apparently, the recovery effected from the present petitioner comes under non-commercial quantity and petitioner is in custody for the



last more than 3 months and on completion of investigation challan stands presented. It will take time for the trial to conclude. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

03.10.2024
Priyanka Thakur

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