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

CRM-M-51629-2024

Date of Decision: October 25, 2024

HAPPY SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Chahat Goyal, Advocate for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 483 read with Section 528 of BNSS, 2023, prayer has been made for extension of regular bail granted to the petitioner vide order dated 02.04.2024 passed by this Court in case FIR No. 9 dated 11.02.2024 registered under Section 22 of NDPS Act, P.S. Longowal, District Sangrur wherein, the petitioner was implicated on the allegation of recovery of 100 loose tablets of white colour, average weight 382 mg/tablet
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the recovery involved in the present case.
3. I have heard learned counsel for the parties and gone through the paper book.
4. In the present case, the petitioner was initially granted benefit of bail vide order dated 02.04.2024, awaiting FSL report. Now the report has been received and the same forms part of the supplementary challan dated 05.09.2024 and as per the same, the 100

loose tablets of white colour, average weight 382 mg/tablet (38.2 grams in total) were recovered from the petitioner. As per the FSL report, the recovered tablets were found to be containing salt Tramadol Hydrochloride.

6. Considering the fact that the recovery in the present case is of 38.2 grams in total which falls under the category of non-commercial quantity and the investigation already stands concluded with the filing of challan whereas the trial is likely to take some time and petitioner remained in custody for about 2 months; he is not involved in any other case, this Court does not find any justification to send him back in custody.

5. In such circumstances, the order of regular bail passed by this Court vide order dated 02.04.2024 is made absolute subject to his furnishing fresh bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

7. Nothing construed herein shall be treated as an expression of opinion on the merits of the case.

25.10.2024

Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>