

225 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-56121-2023
Decided on:-30.01.2024

Gurjant SinghPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gagandeep Singh Simble, Advocate,
for the petitioner.

Mr. G.S. Dhillon, 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.85, dated 11.09.2023, registered under 22, 27-A, 29, 61, 85 of the NDPS Act, 1985, at Police Station Qadian, Police District Batala, District Gurdaspur.
2. In the present case, the petitioner has been implicated for the alleged recovery of 400 tablets of 'Tramadol'.
3. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner was involved in one more case of IPC, thus, he does not deserve the concession of bail.
4. 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.
5. Admittedly, the recovery in the present case is of non-

commercial quantity and the petitioner is behind the bars for the last 04 months & 17 days, who is a young man of 31 years of age. The final report in the present case already been prepared by the investigating agency though yet to be presented before the Court concerned. Though, one more case involving the provisions of IPC was registered against the petitioner, but in that case he has already been acquitted beside it, he is not involved in any other case of NDPS Act. 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.

30.01.2024
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(HARKESH MANUJA)
JUDGE

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