



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-54908-2024
Date of decision: November 11th, 2024

Tarsem Singh
.....Petitioner

Versus

Union of India
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Fariad Singh Virk, Advocate
for the petitioner.

Mr. Premjit Singh Hundal, Senior Panel Counsel,
for the respondent-UI.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail in Crime No.15 dated 09.07.2024 under Sections 8, 18, 23, 29 of the NDPS Act registered at Police Station NCB, Chandigarh.

2. Learned counsel for the petitioner submits that the petitioner, who has no previous criminal antecedents, has been in custody since 10.07.2024 in a case of false implication; a false recovery of 478 grams of opium (non-commercial) has been planted upon him. It has been argued by the learned counsel that till date none of the 16 prosecution witnesses have been examined, hence, the possibility of the trial concluding in the near future is unlikely.

3. *Per contra*, learned standing counsel for the NCB has submitted that the recovered contraband had been concealed in two boxes and was thereafter booked by the petitioner through courier. It was the courier company, which intimated the investigating agency



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about the consignment being booked through them. However, learned counsel for NCB has not disputed that the recovered contraband is classified as non-commercial under the Act.

4. On a further query, it has not been disputed that the petitioner has no previous criminal antecedents.
5. I have heard learned counsel for the parties and perused the material placed on record.
6. The investigation in the present case is complete, however, the trial is unlikely to conclude in the near future as the next date fixed before the trial Court is 12.12.2024 when the prosecution evidence is likely to commence.
7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
8. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

November 11th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No