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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-252-2024
Date of decision : 11.01.2024

Sydney Chama

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Ms. Pratula Sethi, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, Asstt. A.G. Punjab.

HARKESH MANUJA.J. (ORAL)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No. 0133 dated 23.10.2021 registered under Sections 21 (29-61-85 added lateron) of the NDPS Act at Police Station Sadar Rajpura, District Patiala, wherein the petitioner has been implicated against the alleged recovery of 500 grams of heroin along with 400 grams of dry ice (Methamphetamine).

2. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that the huge recovery is involved in the FIR.

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. The petitioner has already undergone incarceration of about 2 years 2 months and 10 days and there is no other criminal case pertaining to NDPS Act registered against him, However, 3 out of 12 prosecution witnesses have been examined so far.

4. Considering the fact that the investigation in the present case, already stands concluded with the filing of challan and trial is likely to take some time, besides it, the petitioner is already behind the bars for the last almost 2 years 2 months and 10 days, I do not find any reason to extend the incarceration of the petitioner any further.

5. 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 learned trial Court/Duty Magistrate.

6. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

11.01.2024
monika

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No