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

CRM-M-47002-2024**Date of Decision: 16.01.2025**

Angrej Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

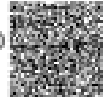
Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.232 dated 28.11.2022 registered under Section 21 of NDPS Act, at Police Station Lapoke, District Amritsar Rural.

2. As per case of the prosecution, on 28.11.2022, the petitioner was apprehended by the police party headed by SI/SHO Harpal Singh and on his personal search, recovery of 300 grams heroin was effected from him, which falls under the commercial quantity.

3. Learned counsel for the petitioner submits that the petitioner was arrested in the present case on 28.11.2022 and has undergone more than 01 year and 10 months of custody. He further submits that the petitioner has been falsely involved in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner and further there is a delay of more than 72 hours in sending the samples to the FSL Lab, which is



violation of standing instructions issued by the Government. Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that he may be released on regular bail. In support of his contentions, learned counsel for the petitioner has relied upon judgments in (i) **CRM-M-37684-2021, Balwinder Singh vs. State of Punjab**, decided on 14.02.2022; (ii) **CRM-M-8212-2022, Tajinder Singh vs. State of Punjab**, decided on 03.03.2022 and (iii) **CRM-M-35186-2016, Manjit Kaur @ Jeeto vs. State of Punjab**, decided on 01.12.2016.

4. On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner. However, he fairly conceded the fact that petitioner is not involved in any other criminal activity.

5. Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

6. Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

(N.S.SHEKHAWAT)
JUDGE

16.01.2025
hemlata

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