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

CRM-M-28031-2024

Date of Decision:25.04.2025

MANOJ KUMAR

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Karnail Singh Ahhi, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 of Cr.P.C. with a prayer to grant regular bail to him in case FIR No.251 dated 29.12.2022, registered under Sections 22 NDPS Act, Police Station Dina Nagar, District Gurdaspur.

2. As per the case of prosecution, recovery of 540 loose intoxicant tablets, weighing 102.06 grams of Alprazolam, which is above commercial quantity, has been recovered from the petitioner on the basis of the secret information by the police.

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and no recovery was effected from him. The petitioner is in custody since 12.05.2023 and the final report under



Section 173 Cr.P.C. has already been presented against him. 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 except one case bearing FIR NO.134 dated 20.11.2021 under Sections 21-B/61/85 NDPS Act, registered at Police Station Dhariwal and the petitioner has already undergone sentence on 23.04.2024.

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 on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

25.04.2025
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(N.S. SHEKHAWAT)
JUDGE

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