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

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Date of Decision: 01.04.2025

JAGJIT SINGH ALIAS NIKKU

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. The petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in FIR No.37 dated 12.02.2024 under Sections 22, 29 of NDPS Act registered at Police Station Sultanpur Lodhi, District Kapurthala.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The allegation against the petitioner is that lose intoxicant tablets weighing 31.496 grams of Alprazolam was recovered from the polythene bag which was thrown by the petitioner. The alleged recovery falls under the non-commercial quantity. The petitioner is in custody for the last 01 year and 18 days. Conclusion of trial will take long time.
3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has not disputed the fact that the intoxicant tablets recovered from the polythene bag thrown by the petitioner falls under the non-commercial quantity. He has filed the custody certificate dated 31.03.2025 of the petitioner, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than one year. Challan



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in the case has been filed, trial is yet to commence and as so far no prosecution witnesses has been examined. He further states that the petitioner is involved in other cases under the NDPS Act.

5. I have heard the learned counsel for the parties and perused the record.

6. In view of the above submission of learned counsel, since the trial is yet to commence and it will take considerable time to conclude, no useful purpose would be served for further incarceration of the petitioner. As the petitioner is in custody for the last more than one year and continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, I deem it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is stated that since the petitioner is involved in other cases of similar nature under NDPS Act, in case the petitioner is involved in any other fresh case under the NDPS Act, the State can move an applicaiton for cancellation of his bail.

01.04.2025
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(H.S.GREWAL)
JUDGE

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