



CRM M-64276-2024 (O&M) [1]

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

CRM M-64276-2024 (O&M)

Date of Decision: 09.01.2025

Gurbhej Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr.B.S. Bhalla, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present fourth 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.85 dated 17.08.2023 under Sections 22-C, 25, 27-A, 29 of the NDPS Act, 1985 registered at Police Station Valtaha, District Tarn Taran, whereby the petitioner has been implicated with the allegation of recovery of 1050 loose intoxicating tablets allegedly containing 'Tramadol Hydrochloride'.

2. Learned counsel for the petitioner submits that the petitioner is in custody for the last about 01 year and 04 months and 17 days; trial is likely to take some time to conclude as out of total 15 prosecution witnesses, no one has been examined and he being not involved in any other case, thus deserves the concession of bail.

3. On the other hand, the prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that the recovery in the present case is commercial quantity and thus the petitioner does not deserve the concession of bail.

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4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges and out of 15 prosecution witnesses, no one has been examined. The petitioner is in custody for the last 01 year and 04 months and 17 days and is not involved in any other case, in such circumstances, considering the fact that the trial is likely to take some time, I do not find any justification to extend the incarceration of the petitioner.

6. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. Pending miscellaneous application(s), if any, shall also stand disposed of.

09.01.2025
sanjay

(HARKESH MANUJA)
JUDGE

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