

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-12808-2022

Date of Decision: 31.3.2022

Lovepreet Singh alias Lavi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Dinesh Nagar, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0064 dated 5.10.2021 registered for the offences punishable under Sections 22 of NDPS Act at Police Station Aur, District SBS Nagar.

FIR in the present case was registered on 5.10.2021, as per which, 8 intoxicant injections and 8 vials of Avil were recovered from the possession of the petitioner by the police and the petitioner was arrested at the spot.

Counsel for the petitioner submitted that aforesaid 8 vials of Avil are not covered under NDPS Act while remaining 8 injections were found to be that of Buprenorphine 2ml each and thus, falls within non-commercial quantity of contraband as per the provisions of NDPS Act. The aforesaid factual position has not been refuted by the State counsel.

As per custody certificate, the petitioner is already in custody for the last more than 5 months and 25 days and is not involved in any other

Admittedly, 8 vials of Avil recovered from the petitioner are not covered under NDPS Act and charges have not been framed by the trial Court till date. So, it will take considerable long time for conclusion of the trial. This Court is of the view that no purpose is going to be served by keeping the petitioner in custody for indefinite period.

In view of the above, without commenting 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 bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 31, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No