

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

**Criminal Misc. No. M-17214 of 2018
Date of decision: 16.11.2018**

Satnam Singh alias Shinda

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

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

Ms. Rashmi Attri, AAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

This is the second petition filed by petitioner-Satnam Singh alias Shinda under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.32 dated 30.04.2017 registered under Section 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Fattudhinga, District Kapurthala.

In the earlier petition, the petitioner was released on interim bail as FSL report was not received. Subsequently, the petitioner surrendered before the trial Court after receipt of FSL report and is in custody for the last approximately 16 months as on today.

Learned counsel for the petitioner submits that out of total 13 prosecution witnesses, even a single witness has not been examined so far and the trial may take long time to conclude. The petitioner is not having any criminal background and only one case is pending against him, wherein

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he has been convicted and sentenced for a period of two years. The sentence has been suspended and the appeal is still pending before this Court. Learned counsel also submits that all the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence.

Learned State counsel has not disputed the custody period as well as stage of trial.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Without commenting anything on the merits of the case and keeping in view the submissions made by learned counsel for the petitioner that the petitioner is in custody for the last approximately 16 months; all witnesses are police officials and there is no possibility that the petitioner may influence the witnesses; the trial may take time to conclude as even a single witness has not been examined so far and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Satnam Singh alias Shinda) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

16.11.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No