

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.215

CRM-M-28241-2018

Date of decision : 04.10.2018

Jivanjot Singh @ Johny

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. H.S. Gill, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.91 dated 05.05.2017, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib, under Section 22 of NDPS Act, 1985.

As per the FIR, 1190 loose tablets were recovered from the petitioner.

Learned counsel for the petitioner submits that the petitioner has been in custody for over one year now. The trial is not likely to be concluded at an early date and thus, the petitioner may be released on regular bail.

The prayer is opposed by learned State counsel on the ground that there are two more cases pending against the petitioner.

A perusal of the order-sheet shows that the State was granted one last opportunity to produce the custody certificate. However, the custody certificate has not been produced today as well.

Thus, I cannot rely upon the oral statement of the learned State counsel that there are two more cases pending against the petitioner. The petitioner has been in custody for over one year and admittedly four more prosecution witnesses are yet to be examined. Thus, the trial may still take

some more time to conclude and it would not be in the interest of justice to keep the petitioner in custody indefinitely.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and the petitioner-Jivanjot Singh @ Johny, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

04.10.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No