

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

**CRM No.M-39675 of 2017
Decided on: 16.01.2018**

Amandeep Singh @ Aman

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. D.K. Bhatti, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.10 dated 08.01.2015, for offence punishable under Section 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act') registered at Police Station Shahkot, District Jalandhar.

Counsel for the petitioner has submitted that the petitioner is a young man aged about 27 years and except for the present FIR, he is not involved in any other case. It is further submitted that the petitioner is in judicial custody since 08.01.2015 and the prosecution is recording its evidence on a very slow pace. Counsel for the petitioner has drawn attention towards the order dated 30.10.2017 when it was informed that 05 prosecution witnesses have been examined.

Counsel for the State, on instructions from HC Jaswinder Singh, has informed the Court that even today the situation is not different and only 05 prosecution witnesses have been examined.

Counsel for the State has not disputed the fact that there is no other case pending against the petitioner.

Without commenting anything on merits of the case and considering the fact that the petitioner is in judicial custody for the last about 02 years and the prosecution is examining its witnesses in a very casual manner, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Ilqa Magistrate/Duty Magistrate. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

16.01.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No