

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

**CRM-M No.45842 of 2017
Decided on: 19.03.2018**

Satnam Singh @ Sonu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Amit Dhawan, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.75 dated 21.04.2016, for offence punishable under Section 22 of the NDPS Act, registered at Police Station Phillaur, District Jalandhar.

Counsel for the petitioner has submitted that the petitioner is not involved in any other case and he is in judicial custody for the last about 11 months and 14 days. It is further submitted that the petitioner was on interim bail from 04.08.2016 till 19.07.2017 and during the said period, he has not misused the concession of interim bail. Counsel for the petitioner has further submitted that the recovery is of 120 gms of narcotic substance which is slightly higher than the commercial quantity and the petitioner was not searched either before the Illaqa Magistrate or the Gazetted Officer. It is further submitted that till date, no prosecution witness has been examined and conclusion of

trial is likely to take some time.

Counsel for the State has filed the Custody Certificate today in the Court, on instructions from HC Sanjeev Kumar, has not disputed the fact that till date, no prosecution witness has been examined.

Without commenting anything on merits of the case and considering the fact that the petitioner is in judicial custody for the last about 11 months and 14 days; he is not involved in any other case; he was on interim bail for about 11 months and during the said period, he has not misused the concession of interim bail and conclusion of trial is likely to take some time, this petition is allowed and the petitioner is ordered to be released on bail subject to furnishing bail/surety bonds to the satisfaction of the Judge, Special Court, Jalandhar/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

19.03.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No