

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

**Criminal Misc. No. M-51000 of 2018
Date of decision: 21.12.2018**

Sukhdev Singh

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Param Preet Singh Brar, Advocate
for the petitioner.

Mr. R.S. Doon, AAG, Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Sukhdev Singh under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.49 dated 07.03.2014 registered under Sections 15/16/27-A/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Kalanwali, District Sirsa.

Learned counsel for the petitioner submits that the petitioner is in custody since 07.03.2014 and earlier petition filed by him was dismissed as withdrawn on 25.08.2015. Co-accused of the petitioner, namely, Lakhwinder Singh, Jagraj Singh @ Gaaji, Mahender Singh and Atalveer have already been released on regular bail. Co-accused, namely, Jagtar Singh @ Taari has also been released on regular bail by this Court vide order dated 12.10.2018 passed in Criminal Misc. No. M-44063 of 2018.

Learned counsel also submits that the challan has been presented and out of

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total 25 prosecution witnesses, eleven witnesses have been examined.

Learned State counsel has not disputed the custody period i.e. more than four years and nine months; release of co-accused on regular bail by this Court and the fact that no other case is pending against him.

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 since 07.03.2014 i.e. more than four years and nine months; co-accused, namely, Lakhwinder Singh, Jagraj Singh @ Gaaji, Mahender Singh and Atalveer have already been released on regular bail; co-accused, namely, Jagtar Singh @ Taari has also been released on regular bail by this Court vide order dated 12.10.2018 passed in Criminal Misc. No. M-44063 of 2018; all witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses; the trial may take time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Sukhdev Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

21.12.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No