

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

209

CRM-M-7832-2019 (O & M)
Date of Decision:26.02.2019

Happy Verma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vipul Aggarwal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Happy Verma has filed this petition seeking regular bail in case FIR No.57 dated 10.08.2017, under Section 22 of the NDPS Act registered at Police Station Naya Gaon, District SAS Nagar.

The FIR was registered on 10.08.2017 with the allegations that when the police party was on a patrol duty, one car bearing No.CH-01-AP-1784 was seen coming from the side of Kansal being driven by one Hindu gentleman and the same was stopped. The driver of the vehicle disclosed his name as Happy Verma and after completion of formalities, search was conducted whereupon 2 litres intoxicant liquid (bottle), 10 strips of Carisoprodol Tablets (each strip containing 10 tablets) in total 100 tablets, 3 strips of Carisoprodol Tablets Pain-O-Soma 500 mg (each strip containing 10 tablets) in total 30 tablets were recovered from the vehicle.

Learned counsel for the petitioner has contended that the

petitioner is running a medical shop and possesses a valid license upto 17.11.2023. It is further pointed out that the petitioner was extended the concession of interim regular bail as the FSL report was not received. The said order dated 01.12.2017 is Annexure P-3. It is argued that after receipt of the FSL report dated 14.08.2017, the petitioner has surrendered. He further submits that the petitioner has not misused the concession of interim bail. The challan was presented on 23.05.2018 in which 18 prosecution witnesses have been cited, however, none of them has been examined till date and conclusion of trial will take long time.

On the other hand, the bail application is opposed by the learned State counsel who is assisted by ASI Jarnail Singh. It is also not disputed that the petitioner is not involved in any other case.

Considering the above background, stage of the trial which is likely to take more time as no prosecution witness has been examined till date and particularly the fact that the concession of interim regular bail extended to the petitioner was never misused as admittedly the petitioner was not involved in any other case muchless of the similar nature during the said period, further custody of the petitioner is not justifiable. Therefore, without meaning any expression of opinion on the merits of the case, petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

The petition is allowed.

26.02.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No