

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8649-2019

Date of decision-22.05.2019

Mandeep Singh @ Shivam @ Shibhu

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
ASI Ravinder Singh.

MANOJ BAJAJ, J.

Petitioner-Mandeep Singh @ Shivam @ Shibhu has prayed for grant of regular bail in case FIR No.63 dated 02.04.2017 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Division No.5, Jalandhar.

The FIR was registered with the allegations that on 02.04.2017, when the Police was in search of bad elements, two boys on Activa scooter bearing No.PB-08-BH-5224 were seen coming from Jalandhar. The vehicle was stopped and after formalities, the search was conducted. A polythene containing 119 gram alprazolam from the right pocket of petitioner was found whereas 39 gram of alprazolam was found from the right pocket of co-accused, namely, Munish.

Learned counsel for the petitioner contends that the prosecution has adopted lackadaisical approach as despite framing of charges, only one

witness has been examined. He further contends that petitioner was granted interim bail vide order dated 21.07.2017 and has not misused the concession of interim bail.

On the other hand, learned State counsel assisted by ASI Ravinder Singh opposed the bail application. It is not disputed that the petitioner was previously extended the concession of interim bail for a period of eight months as the FSL report was not filed along with the final report. The petitioner had surrendered on 26.04.2018 and after framing of charges on 28.04.2018, out of eight witnesses, only one witness has been examined so far. It is not disputed that the petitioner neither misused the concession nor committed any other similar offence during the said period of eight months.

Considering the custody period of the petitioner and the pace at which the trial is progressing, this Court is of the opinion that further detention of the petitioner is not justified. Therefore, without meaning any expression of opinion on the merits of the case petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Jalandhar.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

22.05.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No