

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

CRM-M-8796 of 2019
Date of Decision: 05.03.2019

Munish Singh @ Nikku

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amandeep Singh Saini, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 seeking bail pending trial in case First Information Report No. 78 dated 21.07.2018, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Fazilka, District Fazilka.

It is contended by learned counsel for the petitioner that the recovery effected from the petitioner is alleged to be 400 intoxicant tablets TRIO SR and 110 intoxicant tablets Prozolam-0.5 , which is less than the commercial quantity. He further contended that the petitioner is in custody since 21.07.2018; charges were framed on 21.12.2018; there are total 8 Pws, but none has been examined till date. Also contends that there is no other criminal case pending against the petitioner.

On the other hand, learned State counsel has opposed the bail.

Heard learned counsel for the parties and perused the paper book.

Keeping in view the fact that recovery of alleged contraband is non commercial; petitioner is in custody since 21.07.2018 and challan stands presented on 10.12.2018 and charges have already been framed in this case on 21.12.2018; there are total 8 prosecution witnesses, but none has been examined till date. Thus, the trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Munish Singh @ Nikku be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

March 05, 2019
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no