

Harjinder Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. G.S. Sandhu, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 231 dated 18.07.2018 under Section 15/25 of the NDPS Act, 1985 registered at Police Station Taraori, District Karnal.

Learned counsel for the petitioner submits that the petitioner has been in custody since 18.07.2018. The charge has been framed but examination of PWs has not yet started and, therefore, the trial is not likely to be concluded at an early date. The petitioner may, thus, be granted regular bail.

Custody certificate dated 05.01.2019 prepared by Sh. Sanjay Bangar, Deputy Superintendent, District Prison, Karnal, has been filed in the Court today and the same is taken on record.

According to this certificate, the petitioner has undergone actual custody of five months and thirteen days. There is one other case under the NDPS Act, 1985 pending against the petitioner.

Learned counsel for the petitioner submits that in the pending case, no recovery was made from the petitioner. He was only named by the co-accused.

Learned State counsel does not deny the factual submissions made on behalf of the petitioner.

Keeping in view the fact that the petitioner has been in custody for over five months and that the trial is not likely to be concluded at an early date, it would be just and expedient to release the petitioner on regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

January 07, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No