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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-41246-2019

Date of Decision: 27.11.2019

Jasbir Singh @ Bhalli

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.S. Dargan, Advocate for  
Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

...

**Manoj Bajaj, J. (Oral)**

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in a case FIR No.74 dated 09.11.2018, under Sections 21 and 22 of the NDPS Act, 1985, registered at Police Station Jhandher, District Amritsar. He is in custody since his arrest on 09.11.2018.

As per the version of the prosecution in the FIR, on 09.11.2018 at about 1:00 P.M., when police officials were present at 'T'-point of metalled road Jagdev Kalan in connection with patrol duty, accused Jasbir Singh @ Bhalli was seen coming on motor cycle and on seeing the police party, he tried to turn back and threw the polythene bag which was hanging on the left side of the handle of motor cycle No. PB-02DV-2586 Splender, which contained intoxicant tablets. On search, 1030 intoxicant tablets were recovered from the polythene bag which was thrown by the accused.

Learned counsel for the petitioner submits that the investigation of the case is complete and the trial is likely to consume considerable time,

therefore, further custody of the petitioner may not be necessary.

On the other hand, learned State counsel assisted by ASI Jagjit Singh has opposed the prayer, however, it is not disputed by him that after framing of charges on 11.03.2019, the case was taken up on 10 occasions for recording the prosecution witnesses, however till date, only one witness has been examined out of total 12 witnesses. He submits that two more cases are pending against the petitioner, wherein he is on bail.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further detention may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Amritsar.

The petition is allowed.

27.11.2019  
*Jasmine Kaur*

**(MANOJ BAJAJ)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No