

236 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-44156-2019

Date of decision-22.10.2019

Gurdev Singh

....Petitioner

Vs.

State of Punjab

...Respondent

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Ranbir Singh Sekhon, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

\*\*\*

**MANOJ BAJAJ, J.**

Petitioner-Gurdev Singh has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.11 dated 19.01.2015 registered under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985 Act at Police Station Makhu, District Ferozepur. The petitioner is in judicial custody since his arrest on 17.08.2019.

On 19.01.2015, when the police party was on patrol duty at village Basti Namdev Dakhli Sudan, then one man was seen coming on the road, who on seeing the police, tried to run away. On suspicion, he was apprehended and after following the procedure, his search was conducted and 1200 tablets of alprazolam were recovered from his possession.

Learned counsel for the petitioner contends that after recovery of the alleged contraband, the petitioner was arrested. On 27.02.2015, the petitioner was extended the concession of interim regular bail by the trial

Court as the FSL report in respect of the recovered contraband was awaited. Learned counsel contends that the said concession of bail was never misused by the petitioner, however, his bail was cancelled on 25.04.2019 as he absented from the Court proceedings. Thereafter, petitioner surrendered and is in custody. He submits that the out of total six prosecution witnesses only two witness have been examined. He further submits that there is no other case against the petitioner.

On the other hand, learned State counsel assisted by ASI Karamjit Singh opposed the bail application, however, this fact is not disputed that the petitioner remained on interim regular bail for a period of more than three years. It is also not disputed that petitioner is not involved in any other case of similar nature.

After hearing learned counsel for the parties, this Court finds that the concession of interim bail was never misused by the petitioner and only two witness have been examined by prosecution. The trial of the case is likely to consume considerable time, therefore, further custody of the petitioner 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, Ferozepur.

The petition is allowed.

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

**22.10.2019**

vanita

Whether speaking/reasoned :  
Whether Reportable :

|     |    |
|-----|----|
| Yes | No |
| Yes | No |