

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

**CRM-M No. 47009 of 2019
Date of Decision:-28.11.2019**

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Ms. Sarika Gupta, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Manpreet Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 17 dated 09.3.2019, under Section 22 of NDPS Act, registered at Police Station City Balachaur, District SBS Nagar. The petitioner is in custody since his arrest on 09.3.2019.

As per FIR, 09.3.2019, the police party was present at "T" point Suyana Garshankar road in connection with patrolling duty, they stopped three young boys riding on a motor-cycle bearing Registration No.PB-20-A-9710, on the basis of suspicion. The driver of the motor-cycle disclosed his name as Jujhar Singh, second person sitting behind him told his name as Anmol Singh and the third one disclosed his name as Manpreet

Singh. On search, 20 injections of Buprenorphine 2ml each and 20 vials of Avil 10 ml each were recovered from accused Jujhar Singh and Anmol Singh, whereas 18 injections of Buprenorphine 2ml each and 10 vials of Avil 10 ml each were recovered from Manpreet Singh.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. She further submits that after completion of investigation, challan was presented on 05.8.2019 and charges were framed on 30.10.2019. She contends that the trial of the case will take sufficient long time as no witness has been examined by the prosecution so far, therefore, further custody of the petitioner may not be justified. She further contends that admittedly the petitioner is a patient of HIV and taking treatment under registration No.9687.

On the other hand, learned State counsel, who is assisted by ASI Rajinder Pal, opposed the prayer and filed the status report by way of affidavit of Jatinder Jit Singh, Deputy Superintendent of Police, Balachour Sub Division, District Shaheed Bhagat Singh Nagar, depicting the health status of the petitioner pursuant to order dated 19.11.2019 passed by this Court. He does not dispute the fact that petitioner is a patient of HIV and undergoing the treatment. He does not dispute that no prosecution witness has been examined.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the poor health & custodial period of the petitioner, his further detention may not be justified. Therefore, 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, Shaheed Bhagat Singh Nagar.

The petition is allowed.

November 28, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No