

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

Sr. No.219

CRM-M-52716-2019

DECIDED ON: December 17, 2019

SIMRANJIT SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Mandeep Singh Bedi, Senior Advocate with
Mr. Sidhant Mehra, Advocate,
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 42 dated 19.06.2019 registered under Section 22/29 of the NDPS Act, 1985 at Police Station Sekhwan Batala, District Gurdaspur.

2. Learned Senior counsel for the petitioner submits that the trial is at the initial stages as examination of PWs has not yet started. The petitioner was granted interim bail by the High Court till the receipt of report of FSL and there is no allegation that the said concession was misused by the petitioner. No recovery has been effected from the petitioner and he has been nominated as an accused on the statement of the co-accused. The petitioner is a licensed chemist and under the circumstances, his continuation in custody is not warranted.

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3. Custody certificate dated 17.12.2019 prepared by Sh. Balkar Singh, Superintendent, Central Jail, Gurdaspur has been filed in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 02 months and 18 days and there is no other criminal case pending/decided against him.

4. Learned State counsel admits that examination of PWs has not yet started. He also admits that no recovery was effected from the petitioner and that he was nominated as an accused on the statement of the co-accused. He does not deny the submission of learned Senior counsel for the petitioner that the petitioner is a licensed chemist. Thus, in view of the fact that no recovery was effected from the petitioner and the fact that the trial is not likely to be concluded at an early date, no useful purpose would be served by keeping him in custody indefinitely.

5. 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/Duty Magistrate concerned.

December 17, 2019

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No