

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44454-2018

Date of Decision: 20.11.2019

Pawan Kumar @ Tonni

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner Pawan Kumar @ Tonni has filed this petition under Section 439 Cr.P.C. for grant of regular bail in a case FIR No.61 dated 17.07.2018, under Section 22 NDPS Act, 1985, registered at Police Station Bahavwala, District Fazilka. He is in custody since his arrest on 17.07.2018.

As per the version of the prosecution in the FIR, on 17.07.2018, the present petitioner was apprehended with two polythene bags. From one polythene bag, 900 tablets make Prozolam 0.5 were recovered and from another polythene bag, 200 intoxicant tablets were recovered.

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. He further submits that the petitioner is not involved in any other case.

It is not disputed by learned State counsel that after framing of charges on 07.02.2019, 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.

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 custody 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 concerned.

The petition is allowed.

20.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No