

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

CRM-M-3182-2020

Date of decision:14.12.2020

Hemant Kumar alias Honey

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sudhanshu Sharma, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of an affidavit dated 12.12.2020 of Deputy Superintendent, New District Jail, Nabha, filed through email, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.22 dated 30.03.2019 registered under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Mulepur, District Fatehgarh Sahib.

Learned counsel for the petitioner states that though the recovery allegedly effected from the petitioner falls under the commercial quantity, yet the petitioner has been in custody for the last more than 1 year and 8 months. There is no other case pending or registered against the petitioner. It is further stated that when the petitioner was arrested, he was about 18 years of age.

Learned State counsel opposes the prayer made in this petition.

However, he does not dispute the aforesaid submission made by learned counsel for the petitioner. He further states that out of 26 witnesses, only 2 have been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last more than 1 year and 8 months. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

14.12.2020
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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No