

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

204

CRM-M No.5082 of 2020

Date of Decision: June 5th, 2020

Missar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Munish Kamboj, Advocate
for the petitioner.

Mr. Apoorv Garg, Deputy Advocate General, Haryana.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.127 dated 09.06.2019 registered under Section 21 of NDPS Act, 1985 at Police Station Kalamwali, District Sirsa.

It is the contention of learned counsel for the petitioner that the recovery, which is effected from the petitioner is six grams of heroin. He contends that the petitioner was arrested on 09.06.2019 and is in custody since then. The trial is not likely to conclude in near future, especially in the light of the prevailing circumstances and, therefore, prays that the petitioner be granted the concession of bail pending trial.

Counsel for the State, on the other hand, informs the Court that the petitioner, apart from the present case, has been convicted in a case under the NDPS Act on 8.10.2007. There is another NDPS case against him pending trial in District Bathinda and yet another case under the Arms Act before the Judicial Magistrate, Dabwali. He, therefore, contends that the petitioner be not granted the concession of bail. He informs the Court that the next date of hearing is 19.08.2020 in this case, with the charge having been framed on 29.04.2019, two witnesses have been examined out of the

total 13 witnesses.

I have considered the submissions made by the counsel for the parties and keeping in view the recovery, which is non-commercial, petitioner having completed almost one year in custody with the trial not likely to conclude in near future as the next date of hearing is 19.08.2020, with only two witnesses out of 13 having been examined, the present petition is allowed.

Petitioner is directed to be released on regular bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Sirsa.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

June 5th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No