

205.

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

CRM-M-6436-2020

Date of decision: 13.08.2020

DEEPAK

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Karan Garg, Advocate,
for the petitioner.

Mr. J.P. Ratra, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.64 dated 28.08.2019 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Nandgarh, District Bathinda.

Learned counsel for the petitioner refers to the contents of the FIR and submits that it was from the possession of the co-accused-Jeet Singh, recovery of 140 strips, each containing 10 tablets, total 1400 intoxicant tablets, was effected. The petitioner was merely a companion with the co-accused Jeet Singh. He is in custody for the last about 11 ½ months and no witness in the case has been examined by the prosecution.

There is no other case against him.

Learned State counsel has filed the custody certificate, which is taken on record. He does not dispute the custody and the quantity recovered in the case. He is fair enough in submitting that the recovery was effected from the co-accused Jeet Singh. No witness has been examined in the case and there is no other case against the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody for the last about 11 months and 15 days and the recovery has not been effected from his possession, coupled with the fact that trial in the case will take long time as no witness has been examined, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

13.08.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No