

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.209

CRM-M-9491-2020
Date of decision : 18.8.2020

Kewal Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. J.S. Sandhu, Advocate, for the petitioner.

Mr. Ramdeep Pratap Singh, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.74 dated 31.3.2018, registered at Police Station Maur, District Bathinda, under Section 22 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody since 7.12.2019. Although, charges were framed on 5.3.2020, but examination of PWs has not yet commenced. The trial is not likely to be concluded at an early date. The petitioner has been involved in the present case on the basis of disclosure statement of a co-accused and no recovery has been effected from him. Thus, the petitioner may be granted regular bail.

Learned State counsel concedes that examination of PWs has not yet commenced. He, however, opposes the prayer of bail on the ground that there is another case under the NDPS Act, 1985 pending against the

Regarding the other pending case, learned counsel for the petitioner submits that in the said case also, the petitioner was not apprehended at the spot and he was involved on the basis of disclosure statement of the co-accused. Thus, false implication cannot be ruled out.

From the aforementioned facts, it is evident that the trial is not likely to be concluded at an early date. Prima facie, false implication cannot be ruled out and thus, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

18.8.2020
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No