

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

(Heard through VC)

CRM-M-20144 of 2020 (O&M)

Date of Decision: August 10, 2020

Swaran Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Birinder Singh Khehar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.281 dated 21.10.2019, under Sections 15, 61 of NDPS Act, registered at Police Station Dera Bassi, District SAS Nagar (Mohali).

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 21.10.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that even as per the contents of the FIR, neither the petitioner was arrested at the spot nor was any narcotic substance recovered from him.

It is also argued that there is no compliance of Section 50 of NDPS Act in the present case. It is also contended that conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of the respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 21.10.2019 and that trial will likely to take sufficient time to conclude, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

August 10, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No