

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-13508 of 2020 (O&M)
Date of Decision: 12.06.2020

Kala Ram

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ajeet Pal Singh Pakka, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

The matter is taken up for hearing through video conferencing/WhatsApp [due to the pandemic COVID-19].

The instant petition has been filed under Section 439 Cr.P.C., 1973 for grant of regular bail to the petitioner in case FIR No.47 dated 17.03.2019 under Section 22 of NDPS Act, 1985 registered at PS Sangat, District Bathinda.

Notice of motion.

Mr. Suveer Sheokhand, Addl. AG Punjab accepts notice on behalf of the respondent-State.

In brief, facts of the case are that when some police officials were going for patrolling and checking suspicious persons regarding intoxicating substances they saw the petitioner holding a transparent polythene bag in his left hand and strips of tablets were clearly visible in the bag. On checking the bag, 120 strips of intoxicating tablets containing 10

tablets each totalling 1200 tablets labelled as TRIO-SR, were recovered. The petitioner was unable to show or produce any bills or licence to keep intoxicating tablets in his possession.

Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. The trial is likely to take some time to conclude and therefore, the petitioner is entitled to be enlarged on bail.

Per contra, Mr. Suveer Sheokhand, Addl. AG Punjab, learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail to the petitioner.

I have heard learned counsel for the parties.

The trial will take some time. The petitioner is in custody since 17.03.2019. No useful purpose will be served in keeping the petitioner in jail pending trial. At this stage, without going into merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail pending trial on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made by this Court shall not be construed to be an expression on the merit of the case.

(RAJIV NARAIN RAINA)
JUDGE

12.06.2020
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No