

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

CRM-M No.13798 of 2020 (O&M)
Date of Decision.25.11.2020
(Heard through VC)

Surinder Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sandeep Kumar Passi, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.9 dated 09.02.2020 registered under Sections 22, 25, 29 of the NDPS Act, 1985, P.S. Lakho Ke Behram, Distt. Ferozepur (Pb.).

It is *inter alia* contended that the alleged recovery of tramadol contained a batch number, however, a perusal of the FSL report would show that no batch number of the strips was mentioned in the FSL report. Counsel for the petitioner would rely upon order dated 17.08.2020 passed in CRM-M No.22300 of 2020 titled as "*Gurdev Kaur alias Gebo Vs. State of Punjab*" wherein in similar situation, the accused petitioner was allowed regular bail. It is further contended that the petitioner is in custody since 09.04.2020 and despite charges having been framed, no prosecution witness has been examined as on date, while also contending that 13 witnesses have been cited and therefore, the trial is not likely to conclude in near future.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner but has not been able to controvert the factual position as stated and does not does not dispute that the petitioner is not involved in any other matter.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that vide order dated 17.08.2020 passed in CRM-M No.22300 of 2020 titled as "*Gurdev Kaur alias Gebo Vs. State of Punjab*" the accused-petitioner has been allowed regular bail in similar situation and the trial is likely to take some time to conclude as out of 13 witnesses cited, no prosecution witness has been examined, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)

JUDGE

November 25, 2020

Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No