

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

CRM-M-15326-2020 (O&M)

Date of decision: - 25.06.2020

Sumit Kaushal

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. K.S. Dadwal, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 57 dated 24.06.2018, registered at Police Station Banur, District Patiala, under Section 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that in the present case, 185 strips of intoxicant tablets of Lomotil (each containing 60 tablets total $185 \times 60 = 11,100$) were allegedly recovered from the back side pocket of driver seat. The petitioner was Driver of the alleged truck. Learned counsel further contends that during investigation, the personal search of the petitioner was conducted and in personal search memo, number of FIR had been noted down, whereas FIR was supposed to be registered at later stage. The petitioner has been in custody since 24.06.2018. There are total 14 prosecution witnesses and the trial would taken time in its conclusion.

Learned State counsel has not disputed the factum of custody of the petitioner since 24.06.2018.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 24.06.2018. The trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

25.06.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No