

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

Sr. No.212

**CRM-M-16451-2020
DATE OF DECISION: 21.09.2020**

JAGTAR SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Balbir Kumar Saini, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 40 dated 25.02.2020 registered at Police Station City Moga, District Moga, under Section 22 of NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody since 27.02.2020. Even charges have not been framed till date and thus, the trial is not likely to be concluded at an early date. There is no other criminal case pending against the petitioner and he may be granted regular bail. He relies upon order dated 03.09.2020 passed in CRM-M-25242-2020 titled as '*Lakhvir Singh @ Lakha vs. State of Punjab*'.

Learned State counsel concedes the date of arrest as well as the fact that the charges have not yet been framed. He, however, objects grant of bail on the ground of recovery of commercial quantity of narcotic from the petitioner.

Thus, it is not disputed that the petitioner has been in custody for almost 07 months and that the trial is not likely to be concluded at an early date. Since, there are no other criminal cases pending against the petitioner it can be safely inferred that he would not indulge in similar offences if he released on bail.

Considering the facts and circumstances of this case, it is debatable whether the petitioner would be convicted.

In view of the above, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

21.09.2020
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No