

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.210

CRM-M-17160-2020

Date of decision : 20.7.2020

Shingara Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. B.S. Jatana, Advocate, for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.140 dated 8.10.2019, registered at Police Station Bareta, District Mansa, under Sections 22 and 25 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner was not arrested at the spot. He was arrested on the disclosure statement of a co-accused, who was arrested at the spot. Thereafter, on statement of the petitioner, 300 tablets of tramadol were allegedly recovered. The recovery is thus, of non-commercial quantity. The petitioner has been in custody since 9.10.2019. The trial is not likely to be concluded at an early date as only three PWs have been examined till date out of a total of 14 PWs. There is no other case under the NDPS Act, 1985 pending against the petitioner. Thus, he may be released on regular bail.

The learned State counsel admits the submissions made by learned counsel for the petitioner. He, however, submits that the recovery effected from the co-accused, who were arrested on the spot, should be added to the recovery made on the disclosure statement of the petitioner.

It is, thus, evident that the petitioner has been in custody since 9.10.2019. The trial is not likely to be concluded at an early date as only three PWs have been examined till date out of a total of 14 PWs. There is no other criminal case under the NDPS Act, 1985 pending against the petitioner and he was not arrested from the spot. Thus, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

20.7.2020
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No