

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.217

CRM-M-23865-2020

Date of decision : 10.9.2020

Harmanpreet Singh @ Harman

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Jaswinder Singh, Advocate, for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.143 dated 30.7.2019, registered at Police Station Dakha, District Ludhiana Rural, under Sections 15, 25, 61 and 85 of the NDPS Act, 1985.

Learned State counsel submits that he has not been able to obtain instructions, whether, a Gazetted Officer was present or not at the time of search.

However, in my opinion, the said detail is not very relevant for the purpose of grant of regular bail.

Learned counsel for the petitioner submits that the petitioner has been in custody for over one year and the trial is not likely to be concluded at an early date as no PW has been examined, till date. There is no other criminal case pending against the petitioner and thus, he may be released on regular bail.

Custody certificate dated 10.9.2020 has been presented in Court and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 01 year, 01 months and 07 days and there is no other criminal case pending against him.

Keeping in view the fact that the trial is not likely to be concluded at an early date as well as fact that the petitioner has been in custody for a period of 01 year, 01 month and 07 days and that there is no other criminal case pending the petitioner, 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

10.9.2020
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No