

CRM-M-26721-2020

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

**CRM-M-26721-2020 (O & M)
Date of decision: 14.09.2020**

Harbhajan Singh @ Bhajja

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. J.S.Thakur, Advocate,
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through Video Conferencing.

CRM-22327-2020

This is an application for grant of exemption from filing the court fee, original power of attorney and welfare stamp thereon.

Disposed of with a direction to the petitioner to deposit the court fee on-line forthwith. He is also directed to make good the bar council fee once the pandemic situation is over. However, he is exempted from filing the original power of attorney.

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Custody certificate by way of affidavit of the Deputy Superintendent, Central Jail, Kapurthala, has been filed through e-mail. Print-out of the same is taken on record.

Through this petition, the petitioner seeks regular bail in case, bearing FIR No.156 dated 06.10.2018, registered at Police Station Bhogpur, District Jalandhar Rural, under Section 15 NDPS Act, 1985.

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Learned counsel for the petitioner contends that as per the prosecution version, the petitioner was driving an Aactiva whereas co-accused, Iqbal Mohammad was a pillion rider; that 20 kg of poppy husk was recovered from the petitioner, and that there is no other case pending or registered against him(petitioner).

Per contra, learned State counsel opposes the prayer made in the present petition. However, he states that challan has since been presented and 06 witnesses, out of 13 prosecution witnesses, have since been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.10.2018. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

14.09.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No