

CRM-M-27375-2020

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

CRM-M-27375-2020

Date of decision:18.09.2020

Manpreet Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. N.K.Banka, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of affidavit of the Deputy
Superintendent, Central Prison, Ludhiana, 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
FIR No.78 dated 08.08.2019, under Section 22 of the Narcotic Drugs and
Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act'), registered at
Police Station Kathgarh, District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner submits that in the present
case, no recovery has been effected from the petitioner. Rather, the same
has been effected from co-accused, Maninder Pal and on the basis of his
disclosure statement, the petitioner has been indicted as an accused. The
petitioner has been in custody since 09.08.2019.

CRM-M-27375-2020

On the other hand, learned State counsel opposes the prayer made in the present petition, and submits that there is another FIR, bearing No.79 dated 09.08.2019, under Section 22 of the NDPS Act, Police Station Kathgarh, registered against the petitioner. However, he does not dispute the facts qua the indictment of the petitioner on the basis of the disclosure statement of the co-accused and him(petitioner) not being arrested at the spot in the present case. He also states that out of 15 prosecution witnesses, 04 witnesses have been examined.

I have heard the learned counsel for the parties.

The petitioner has been indicted as an accused on the disclosure statement of co-accused from whom, the recovery has been effected. The petitioner has been in custody since 09.08.2019. 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.

18.09.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No