

IN THE HIGH COURT OF PUNJAB AND HARYANA AND
CHANDIGARH

202 (PROCEEDINGS THROUGH V.C.)

CRM-M-32840-2020

Date of decision: 21.12.2020

SUKHWINDER SINGH @ SUKHA
V/S

...*PETITIONER*

STATE OF PUNJAB

..*RESPONDENT*

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Ms. KiranJeet Kaur, Advocate,
for the petitioner.

Mr. H.S.Sullar, DAG, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this application is for grant of regular bail in case FIR
No. 91 dated 27.07.2019 under Section 22 of the NDPS Act, 1985, Police
Station City-2 Abohar, District Fazilka.

It is the contention of the learned counsel for the petitioner that
the petitioner is only 19 years of age and is in custody since 27.07.2019.
The charge stands framed against the petitioner on 16.10.2019 but till date,
trial has not proceeded further. Petitioner is in custody for more than 1 year
and 4 months and the trial is not likely to conclude in near future and there
is no other case against the petitioner except for the present one. She,
therefore, prays that the present application be allowed and the petitioner be
granted the benefit of bail.

On the other hand, learned counsel for the State, on
instructions from ASI Mohan Lal, Police Station City-2 Abohar, District
Fazilka, asserts that the recovery, which has been effected from the
petitioner, is of 10000 tablets of Tramadol. His further submission is that

the recovery effected from the petitioner being of a commercial quantity,

the present application may not be accepted.

Having considered the submissions made by the learned counsel for the parties and keeping in view the fact that the petitioner is a boy of young age i.e. 19 years and being in custody for more than 1 year and 4 months without the trial proceeded any further and the likelihood of the proceedings in the prevailing circumstances before the trial Court continuing appears to be bleak and there being no other case against the petitioner, the present application is allowed. Petitioner is directed to be released on regular bail on furnishing bail bonds to the satisfaction of the Trial Court/Duty Magistrate/Chief Judicial Magistrate, Fazilka.

Any observations made herein above shall have no bearing on the merits of the case.

December 21, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No