

In virtual Court

CRM-M-31561-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31561-2020 (O&M)
Date of decision: 13.10.2020

Charanjit Singh @ Nandu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. T.S. Attariwala, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.123 dated 16.10.2017 under Section 22 of NDPS Act and Sections 401, 482, 411 IPC, registered at Police Station Fattudhinga, District Kapurthala.

Learned counsel for the petitioner submits that as per allegations in the FIR, on 16.10.2017, the police apprehended five persons i.e. petitioner Charanjit Singh @ Nandu, who was driving the vehicle along with four co-passengers namely Daljit Singh @ Sonu, Dilbag Singh @ Baga, Suraj Singh and Balwinder Singh @ Billa. It is further stated that while conducting the search, 1000 tablets each were recovered from all the five accused, which comes to about 151 grams of Alprazolam.

Learned counsel for the petitioner further submits that the

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petitioner is in custody for the last three years and trial is not progressing and all four other co-accused of the petitioner have already been released on bail by granting the benefit of default bail under Section 167 (2) Cr.P.C. Learned counsel has relied upon the order dated 19.04.2018, vide which Suraj Singh and Dilbagh Singh @ Bagga were granted bail by the trial Court, the order dated 19.04.2018, vide which Balwinder Singh was granted bail under Section 167 (2) Cr.P.C. and the order dated 16.04.2018, vide which Daljeet Singh @ Sonu was granted default bail under Section 167 (2) Cr.P.C. It is further submitted that the petitioner is not involved in any other case under NDPS Act.

Learned State counsel could not dispute that the petitioner is in custody since 16.10.2017; he is not involved in any other case under NDPS Act and despite lapse of three years, out of 18 prosecution witnesses, only 10 PWs have been examined so far, therefore, it will take some time in conclusion of the trial.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

13.10.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No