

**207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-33072-2020 (O&M)****Date of decision-30.10.2020****Jujhar Singh****....Petitioner****Vs.****State of Punjab****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. R.K.Gupta, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.0017 dated 09.03.2019 registered under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Balachaur, District SBS Nagar. The petitioner is in custody since his arrest on 09.03.2019.

As per the prosecution case, on 09.3.2019, the police party was present at "T" point Siyana Garshankar road in connection with patrolling duty. On suspicion, they stopped three young boys riding on a motor-cycle bearing Registration No.PB-20-A-9710. The driver of the motor-cycle disclosed his name as Jujhar Singh (petitioner) and pillion riders disclosed their names as Anmol Singh and Manpreet Singh. On search, 20 injections of Buprenorphine 2ml each and 20 vials of Avil 10 ml each were recovered from Jujhar Singh (petitioner) and Anmol Singh, whereas 18 injections of Buprenorphine 2ml each and 10 vials of Avil 10 ml each were recovered from Manpreet Singh.

Learned counsel for the petitioner contends that except for the present case, there is no other case against him much less of the similar nature. According to him, the other accused who was arrested alongwith the

petitioner has already been released on bail vide order dated 28.11.2019

(Annexure P-2). He submits that only one prosecution witness has been examined so far out of total 14 witnesses and the trial is likely to consume considerable time. He prays that the petitioner be released on bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Rajinder Pal has opposed the prayer on the ground that the recovered contraband is more than the non-commercial quantity. However, it is not disputed by him that co-accused of the petitioner has been released and still 13 prosecution witnesses remain to be examined. He has produced the custody certificate of the petitioner which indicates that he is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete. It is apparent that the trial is progressing at a slow pace. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial. The background of the case further reveals that the case of the petitioner is almost similar to the co-accused, who has been released on regular bail, therefore, this Court does not find any reason to decline the prayer.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

30.10.2020

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

(MANOJ BAJAJ)
JUDGE

No
No