

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.42097 of 2020 (O&M)
Date of Decision.22.12.2020
(Heard through VC)

Amarjit Singh

...Petitioner

Vs

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Munish Dev Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.281 dated 21.10.2019 registered under Sections 15, 61 of NDPS Act at Police Station Derabassi, Mohali, who is in custody since 21.10.2019.

Counsel for the petitioner herein would contend that the petitioner herein was merely driving the truck from which 99 kg of poppy husk was recovered from three persons, thus, attributing recovery of 33 kg of poppy husk to each accused. The other two co-accused have already been allowed regular bail by this Court in CRM-M No.20144 of 2020 titled as 'Swaran Singh Vs. State of Punjab' decided on 10.10.2020 and CRM-M No.24105 of 2020 titled as 'Amritpal Singh @ Pala Vs. State of Punjab' decided on 28.08.2020. It is further argued that out of total 13 witnesses, none has been examined. The trial is likely to take some time to conclude and therefore, prays for concession of bail to the petitioner.

Learned counsel for the respondent-State opposes for grant of regular bail to the petitioner but does not dispute the fact that the other two

co-accused have been allowed bail by this Court.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that other two co-accused have already been allowed bail by this Court and the trial is likely to take some time to conclude as out of 13 witnesses cited none has been examined, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

December 22, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No