

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 41806 of 2020
Date of Decision: 17.12.2020**

Sunny

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. H.S.Bhogal, Advocate
for the petitioner.

Mr. H.S.Sullar, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 61 dated 02.7.2019 under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Nawanshahr, District Nawanshahr.

Custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Ludhiana has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has been involved in the present FIR on the basis of a disclosure statement of Parmajeet Kaur and that co-accused Pritpal Singh has been granted bail by the Co-ordinate Bench of this Court.

Learned counsel further submits that the petitioner has been in custody for

the last 01 year and 05 months and another FIR under the NDPS Act had also been registered against the petitioner on the same day i.e. 02.7.2019 but at a different police station and he is on bail in that case.

On the other hand, learned State counsel points out that another case under the NDPS Act is pending against the petitioner. He further submits that charge had been framed on 13.11.2019 and out of 14 prosecution witnesses, 3 have been given up and no witness has been examined till date.

As per the custody certificate, the petitioner has been in custody for the last 01 year and 05 months. Though, the charge had been framed on 13.11.2019, yet no prosecution witness has been examined till date. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

December 17, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No