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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.39572 of 2019(O&M)

DATE OF DECISION:05.03.2020

Gurjant Singh @ Kala and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioners.

Mr. Harbir Sandhu, AAG, Punjab.

LALIT BATRA, J. (Oral)

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioners-**Gurjant Singh @ Kala** and **Gurbhej Singh @ Bheja** in case F.I.R. No.80 dated 12.08.2019 under Section 27-A of NDPS Act, registered at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioners *inter alia* contends that petitioners have no nexus whatsoever with the alleged offence and even otherwise there is no iota of incriminating evidence against them. He further submits that petitioners are in custody since 13.08.2019 and they are no more required by the Police for any investigation purpose. He further submits that after completion of investigation, challan has been presented in the Court and trial has already commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioners in custody

further and they may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioners do not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioners are in custody since 13.08.2019; that challan has been presented against the petitioners in the Court; that trial has already commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioners in custody further, thus, they deserve the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioners- **Gurjant Singh @ Kala** and **Gurbhej Singh @ Bheja** is allowed and they are ordered to be released on bail on their furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Tarn Taran, as the case may be.

(LALIT BATRA)
JUDGE

05.03.2020
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No