

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Crl. Misc. No. M-41095 of 2019

Date of decision :- 02.06.2020

Gurdev Singh @ Debi

...Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. B.S. Kathuria, Advocate
for the petitioner

Ms. Samina Dhir, D.A.G Punjab

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No.93 dated 27.05.2019, registered at Police Station Bhogpur, District Jalandhar, who has been booked for having committed the offence punishable under Section 22 of NDPS Acg.

Learned counsel for the petitioner submits that the recovery in the present case has been affected from a thoroughfare and no independent witness was joined during the course of search.

Learned State counsel has handed over custody certificate of the petitioner and as per custody certificate, the petitioner has undergone 01 year and 07 months of sentence. Further 04 cases are pending against the petitioner. Learned State counsel has also given the medical record of the petitioner which shows that the petitioner has been operated upon in PGI, Chandigarh for eye surgery.

Learned counsel for the petitioner on the other hand has sent

copies of orders to show that he has been released on bail in F.I.R No. 137 dated 13.08.2017 under Section 21/22 of NDPS Act, PS Bhogpur on 12.10.2017, F.I.R No. 100 dated 03.07.2018 under Sections 15/18/21/22 of NDPS Act, P.S Bhogpur on 13.10.2018 and in F.I.R No. 275 dated 19.12.2017 under Sections 22/61/85 of NDPS Act, P.S Kartarpur, District Jalandhar on 25.01.2018.

Learned State counsel submits that out of 16 witnesses, none has been examined.

Heard.

Petitioner is in custody for the last about 05 months.

Keeping in view the fact that the trial is likely to take some time to conclude, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

02.06.2020

G Arora

(RITU BAHRI)

JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No