

CRM-M-49252-2019

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

CRM-M-49252-2019

Date of decision: 17.11.2020

Harjeet Singh alias Jeeti

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate,
for the petitioner.

Mr. S.S.Cheema, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case
FIR No.142 dated 31.10.2018, registered at Police Station Bullowal,
District Hoshiarpur, under Section 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that recovery of
1500 tablets of Tramadol Hydrochloride was allegedly effected from the
petitioner; that the petitioner has been in custody for more than 01 year and
05 months; that the consent memo was not prepared at the spot, rather was
prepared in the police station as it reflects the number of FIR. In support of
his contentions, he relies upon the judgments rendered by the Coordinate
Benches in CRM-M-7411-2020, decided on 09.11.2020, CRM-M-25144-
2019, decided on 27.10.2020 and CRM-M-15358-2020, decided on
11.11.2020.

On the other hand, learned State counsel opposes the prayer

CRM-M-49252-2019

made in the present petition. However, he does not dispute the custody period of the petitioner. He also states that there is no other case, at least of the similar nature, pending or registered against the petitioner, and that out of total 13 prosecution witnesses, only 01 witness has been examined so far.

I have heard the learned counsel for the parties.

In view of the submissions made by the learned counsel for the petitioner, especially when the petitioner has been in custody for the last more than 01 year and 05 months; he is not involved in any other case under the NDPS Act; only 01 prosecution witness has been examined so far and the country continues to be in the throes of global pandemic Covid-19, this Court finds that no useful purpose would be served by keeping the petitioner behind bars.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

17.11.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No