

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 51708 of 2019 (O&M)

Date of Decision: 09.9.2020

Raj Kumar @ Raju

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vishal Aggarwal, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

CRM-21927-2020

Case is taken up for hearing through video conferencing.

This is an application under Section 482 CPC for preponement of the main case, which is fixed for hearing on 23.12.2020.

Notice of the application.

On the asking of the Court, Mr. Ajay Pal Singh Gill, DAG, Punjab, accepts notice on behalf of the State.

Learned counsel for the applicant-petitioner prays that the date of hearing in the main case may be preponed from 23.12.2020 and the case may be taken up for final disposal today itself.

Learned State counsel does not have any objection to the prayer made by the learned counsel for the applicant-petitioner.

For the reasons mentioned in the application, the same is allowed.

Main case is preponed from 23.12.2020 and is taken up on board for hearing today itself.

CRM-M-51708-2019

14.7.2019 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Vairoke, District Fazilka, Punjab.

Learned counsel for the petitioner submits that alleged recovery of 920 grams of intoxicant tablets (720 tablets of Clovidol-100 SR and 200 tablets of Tridole-50) containing salt of Tramadol Hydrochloride, has been effected from the petitioner and the total weight of the said salt comes to 360.56 grams. He further submits that the petitioner has been in custody since 14.7.2019 and no other case is pending against him.

On the other hand, learned State counsel has pointed out that out of 12 prosecution witnesses, 02 witnesses have been examined.

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

As per the custody certificate, the petitioner has been in custody from the last 01 year 01 month and 23 days. Moreover, out of 12 prosecution witnesses, only two witnesses have been examined.. The trial will take time to conclude. 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

September 09, 2020
Gurpreet

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