

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

CRM-M-52-2020

Date of decision:18.08.2021

Subash Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. L.S. Sekhon, Advocate for
Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate, by way of an affidavit dated 17.08.2021 of
Additional Superintendent, Central Jail, Bathinda, filed through email, is
taken on record.

Through this petition, the petitioner seeks regular bail in case
bearing FIR No.246 dated 16.10.2019 registered under Section 22 of the
Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station
Canal Colony, Bathinda, District Bathinda.

Learned counsel for the petitioner states that the alleged
recovery effected from the petitioner and co-accused, namely, Gurwinder
Singh alias Ravinder Singh is 850 intoxicant tablets of Clovidol-100 SR
and 800 intoxicant tablets of Prozolam-0.5. It is further stated that the
petitioner has been in custody since 16.10.2019 and there is no other case
pending or registered against him. No prosecution witness has been
examined till date.

Learned State counsel, while opposing the grant of bail to the

petitioner, submits that the alleged recovery effected from the petitioner and the co-accused is commercial quantity. He does not dispute the custody period of the petitioner and the fact that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.10.2019 and no prosecution witness has been examined till date. The trial would take a considerable long time in its conclusion, especially due to Covid-19. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

18.08.2021
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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No