

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.967 of 2021

Date of Decision: August 18, 2021

Kulwant Singh @ Jajju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. V.B.Godara, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.306 dated 04.11.2020, under Section 22(c) N.D.P.S.Act, 1985, registered at Police Station, Sadar Ratia, District Fatehabad, who is in custody since his arrest on 04.11.2020.

As per the FIR, on 04.11.2020, the accused was found in possession of 800 NRX Tramadol Hydrochloride Tablets I.P.100 mg., weighing 416 grams within the area of Police Station, Sadar Ratia without any permit or licence.

Learned counsel for the petitioner has argued that the trial is likely to consume considerable time to conclude as charges have been framed only on 06.08.2021 and no prosecution has been examined so far. He further submits that the petitioner is not involved in any other case of similar nature and prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Jitender. However, he does not dispute this fact that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this court finds that the petitioner is not involved in any other case, much less of similar nature, therefore, considering the above background and the custodial period of the petitioner, this court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 04.11.2020. Further, the trial is yet to commence and it may take considerable time to conclude the trial. All the witnesses are police officials and there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Fatehabad.

August 18, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No