

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

Criminal Misc.-M No.1801 of 2021
Date of Decision: December 22, 2021

Gurpraim Singh @ Gurprem Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.K.S.Brar, Advocate,
for the petitioner.

Mr.Kirat Singh Sidhu, DAG, Punjab.

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.212 dated 15.08.2020, under Section 22 N.D.P.S.Act, 1985, registered at Police Station, Kotbhai, District Sri Muktsar Sahib, who is in custody since his arrest on 15.08.2020.

As per the allegations in the FIR, on 15.08.2020, 2430 tablets of Clovidol-100 SR containing salt Tramadol Hydrochloride were recovered from the conscious possession of the accused.

Learned counsel for the petitioner has argued that the petitioner is in custody for a long period and the trial is likely to consume considerable time as only one prosecution witness has been examined so far out of total twenty one witnesses. According to him, the petitioner is not involved in any other case of similar nature, therefore, considering his custodial period,

he be released on bail.

On the other hand, learned State counsel, assisted by ASI Manjinder Singh, has opposed the prayer, but does not dispute that only one prosecution witness has been examined so far and the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, considering the above background as well as the pace at which the trial is progressing, this court is of the opinion that the possibility of conclusion of trial in near future is extremely bleak. Admittedly, the petitioner is not involved in any other case and the material witnesses are police officials and at present there does not seem to be any possibility of their being won over, therefore, the further detention of the petitioner behind the bars would not serve any useful purpose.

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 his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Sri Muktsar Sahib.

December 22, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No