

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

Criminal Misc.-M No.4659 of 2021
Date of Decision: September 30, 2021

Ajay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Manpreet Ghuman, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.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.42 dated 15.07.2019, under Section 22 N.D.P.S.Act, 1985, registered at Police Station, Rureka Kalan, District Barnala, who is in custody since his arrest on 15.07.2019.

As per the FIR, on 15.07.2019, when ASI Kewal was present at T-point Tapa, Pakhon Kenchiyan Road, a secret information was received by him that Ajay Kumar son of Surender Kumar is engaged in sale and purchase of narcotic tablets and coming in car bearing registration No.PB-13-AT-6534. Acting upon the said information, the accused was apprehended with 3900 intoxicant tablets.

Learned counsel for the petitioner has argued that the trial is

progressing at a slow speed as only three prosecution witnesses have been examined so far out of total fifteen witnesses, though the charges were framed on 23.01.2020. She submits that as the petitioner is not involved in any other case, much less of similar nature, he be released on regular bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Paramjit Singh. He has produced the custody certificate of the petitioner by way of affidavit of Balvir Singh, Superintendent, District Jail, Barnala, which indicates that the petitioner is not involved in any other case.

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, Barnala.

September 30, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No