

220

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4883-2021

Date of Decision: 09.02.2021

Dimple Kumar @ Dimple

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manoj K. Sharma, Advocate for the petitioner.

Mr. H.S. Multani, AAG, 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.0020 dated 01.08.2018 registered under Section 22 NDPS Act, 1985 at Police Station Patara, District Jalandhar. The petitioner is in custody since his arrest on 01.08.2018.

As per prosecution, 1564 intoxicant tablets were recovered from Dimple Kumar @ Dimple (petitioner) and three co-accused.

Learned counsel for the petitioner contends that the prosecution has examined only three witnesses and the trial is likely to consume considerable time to conclude. According to him, the petitioner is not involved in any other case of similar nature and prays for bail.

Learned State counsel has filed the custody certificate by way of affidavit of Narpinder Singh, PPS, Deputy Superintendent, Central Jail, Kapurthala and has opposed the prayer on the ground that in all, 1564 intoxicating tablets/capsules were recovered from the vehicle owned by the

petitioner. Learned State counsel assisted by ASI Sukhpal Singh further submits that the petitioner was driving the vehicle and, therefore, does not deserve the concession of regular bail.

After hearing the learned counsel for the parties, this Court finds that the petitioner is in custody for approximately 2½ years and still 7 prosecution witnesses remain to be examined and it may take considerable time to conclude the trial. The material prosecution witnesses are police officers and there does not seem any possibility of their being won over. Admittedly, the petitioner is presently confined in judicial custody after his arrest on 01.08.2018, who is not involved in any other case, much less of similar nature and, therefore, his further detention behind the bars may not serve any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Jalandhar.

The petition is allowed.

09.02.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No