

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 5225 of 2021 (O&M)
Date of Decision: 13.7.2021

Surinder Singh @ Goldi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Kewal Krishan, Advocate for
Mr. R.D.Rattewal, 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.

CRM-16637-2021

This is an application under Section 482 CPC for preponement of the main case, which is fixed for hearing on 27.8.2021.

Notice of the application.

On the asking of the Court, Mr. Avtar Singh Sandhu Addl. A.G., Punjab accepts notice on behalf of the State.

Learned counsel for the applicant-petitioner prays that the date of hearing in the main case may be preponed from 27.8.2021 and the case may be taken up for final disposal today itself.

Learned State counsel does not have any objection to the prayer made by the learned counsel for the applicant-petitioner.

For the reasons mentioned in the application, the same is allowed.

Main case is preponed from 27.8.2021 and is taken up on board

for hearing today itself.

CRM-M-5225-2021

This is the second petition under Section 439 Cr.P.C. for regular bail in FIR No. 0018 dated 08.2.2020 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Rahon, District SBS Nagar.

Custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Ludhiana has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that allegedly 25 vials of Avil, 25 injections of Buprenorphine and 900 tablets of Clovidol were recovered from the petitioner, however, Avil does not falls under the NDPS Act; that the petitioner has been in custody for the last 01 year, 05 months and 02 days; and that there is no other case against him.

On the other hand, learned State counsel submits that the recovery effected from the petitioner falls under the commercial quantity. He further submits that in the present case, charges have been framed and out of 12 prosecution witnesses, none has been examined till date.

As per the custody certificate, the petitioner has been in custody for the last 01 year, 05 months and 02 days and no other case is pending against him. In the present case, charges have been framed but the prosecution witnesses are yet to be examined. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his

furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

July 13, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No