

**215 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-5423-2021

Date of Decision: 22.11.2021

Bant Singh @ Banti

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Pardeep Kumar Kapila, Advocate for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. seeking regular bail of the petitioner in case FIR No.136 dated 27.11.2019, registered under Section 22/29 of NDPS Act, 1985, at Police Station City Rampura, District Bathinda.

[2]. Custody certificate is filed on behalf of State by learned State counsel, be taken on record.

[3] It transpires that till 19.11.2021, the petitioner has already undergone for a period of 1 year, 11 months and 22 days in the present case. After completion of investigation, challan against him has been presented and the charges are yet to be framed.

[4] As many as 18 witnesses have already been cited in the challan. Trial of the case is likely to take some time in the given circumstances when the petitioner has already remained in detention for almost 2 years and although there is a record of his involvement in 3 other cases of NDPS Act, but details of column No.3 of the custody certificate goes to indicate that his custody in all those three cases is being sought on the basis of production

warrants which would imply that the petitioner was not apprehended from the spot and accordingly no direct recovery was effected from him.

[5]. Heard. Considering the aforesaid submissions and especially the long detention of the petitioner as already undergone, this Court is of the opinion that further detention of the petitioner is not justified. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

[6]. Disposed off.

22.11.2021

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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No