

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

CRM-M-4127-2020
Date of decision: 13.01.2021

Munish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Kumar Walia, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 65 dated 14.07.2019, registered under Sections 21 of the NDPS Act, 1985 at Police Station Kathgarh, District S.B.S. Nagar.

Learned counsel for the petitioner submits that petitioner is in judicial custody since 18.07.2019 and out of total 11 prosecution witnesses, 10 witnesses have been examined so far and thereafter, the petitioner is to lead his defence evidence.

Learned counsel further submits that as per allegations in the FIR, 350 grams of Heroin were recovered from the petitioner, which falls in commercial quantity, however, keeping in view the long custody of the petitioner and also in view of the fact that trial is not proceeding, the petitioner may be granted concession of interim bail.

Learned State counsel, on the basis of the custody certificate, has not disputed the factual position. It is also not disputed that the case is

still at the stage of recording evidence of prosecution witnesses.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody since 18.07.2019 and also in view of the fact that though physical hearings in trial Courts have started but there is a heavy backlog and it may not be possible for the trial Court to conclude the trial expeditiously, the instant petition is disposed of and the petitioner is ordered to be released on interim bail till 31.05.2021 on his furnishing bail bonds and two heavy sureties to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

13.01.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No