

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

212

CRM-M-5322-2020 (O&M)

Date of decision: 02.11.2021

Davinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARNARESH SINGH GILL , J. (ORAL)

Through this petition, the petitioner seek regular bail in case bearing FIR No.92 dated 09.06.2019 under Section 15 of NDPS Act, registered at Police Station Sadar Patti, District Tarn Taran.

Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The petitioner has been in custody for more than two years four months and there is no other case registered against him.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel submits that recovery effected from the petitioner is in commercial quantity. It is further submitted that out of 13 prosecution witnesses, two has already been examined. However, he does not

dispute the custody period of the petitioner and that there is no other case pending against the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody for more than two years four months and no other case has been registered against him. Taking into the fact that the 11 prosecution witnesses are yet to be examined, trial is unlikely to conclude any time soon, therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

02.11.2021

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Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No