

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

Criminal Misc.-M No.5962 of 2020 (O&M)
Date of Decision: February 23, 2021

Sunny Taneja @ Bunt

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Fariad Singh Virk, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, 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.264 dated 26.08.2018, under Section 22 N.D.P.S.Act, 1985, registered at Police Station, City Rajpura, District Patiala. The petitioner is in custody since his arrest on 26.08.2018.

As per the FIR, on 26.08.2018, when the police party was present in front of State Bank of India, Rajpura in connection with patrolling, then a Splendor Plus motorcycle bearing registration No.PB-11-BK-7519 was seen coming from the side of ITI Chowk. On seeing the police party, the driver stopped the motor cycle and tried to turn back. He was apprehended on suspicion and from the polythene bag, which was hanging on the left handle of motorcycle, 25 injections of AVIL and 25 intoxicant injections of OMBESIC Buprenorphine were recovered. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the petitioner is in custody for a long time and the petitioner is not involved in any other case of similar nature, therefore, considering his custodial period, he be released on bail as the trial is likely to take some time to conclude.

On the other hand, the prayer is opposed by the learned State counsel, who is assisted by ASI Rakesh Kumar. He submits that six prosecution witnesses have been examined so far out of total thirteen witnesses. However, it is not disputed by him that the petitioner is not involved in any other case of similar nature.

Considering the above background, custody of the petitioner and the fact that trial is likely to consume more time to conclude, therefore, further detention of the petitioner may not be necessary for any useful purpose, who is confined in judicial custody after his arrest on 26.08.2018.

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

February 23, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No