

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

Criminal Misc.-M No.10887 of 2020
Date of Decision: August 18, 2021

Manpreet Singh @ Labbi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pardeep Singh Mirpur, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

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.200 dated 31.08.2019, under Section 22(c) N.D.P.S.Act, 1985, registered at Police Station, Kalan Wali, District Sirsa, who is in custody since his arrest on 31.08.2019.

The contents of the FIR, as noticed by the Additional Sessions Judge, Sirsa in his order dated 20.12.2019, are as under:-

“As per FIR, on 31.08.2019 police party headed by ASI Bharat Singh was present for patrolling duty at T-point, Bus Stand, Makha. Meanwhile, a motor-cycle was seen coming from the side of village Makha. On being signalled to stop by ASI Bharat Singh, the bike rider tried to turn back his motor-cycle and a plastic bag was placed on the fuel tank of bike. On the basis of suspicion, the bike rider was apprehended by police party. On enquiry, he disclosed his name Manpreet Singh alias Lambi son of Gurmit Singh (petitioner). Search of plastic bag lying on the fuel-tank of bike was conducted which led to

recovery of 8 card-board boxes of intoxicating tablets marka TREDOL-100. Each card-board box was having 20 strips and each strip was having 10 tablets and over all there were 1600 intoxicating tablets having Batch No.TDP-19022, MFG-AUG-2019, EXP-JULY-2022. On preliminary interrogation, petitioner disclosed that he purchased the aforesaid tablets from Krishan Singh son of Teja Singh, R/o Ramsara (Pb.). On completion of usual formalities at the spot, the present case was registered which culminated into arrest of petitioner.”

Learned counsel for the petitioner has argued that the trial is likely to consume considerable time to conclude as only one witness has been examined so far out of total twelve prosecution witnesses. He further submits that the petitioner is not involved in any other case of similar nature and prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Bhoop Singh. However, he does not dispute this fact that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this court finds that the prosecution has examined only one witness and the petitioner is not involved in any other case, much less of similar nature, therefore, considering the above background and the custodial period of the petitioner, this court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 31.08.2019. Further, the prosecution is yet to examine its remaining eleven witnesses and it may take considerable time to conclude the trial. All the witnesses are police officials and there does not seem to be any possibility of their being won over.

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 her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Sirsa.

**August 18, 2021
ramesh**

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No