

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No. 11287 of 2021
Date of Decision: March 17, 2021

Parminder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Manpreet Ghuman, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak, Addl.A.G.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.45 dated 18.06.2019, under Section 22 N.D.P.S.Act, 1985 and Sections 25/29 N.D.P.S.Act, (added later on), registered at Police Station, Bhadaur, District Barnala. The petitioner is in custody since his arrest on 18.06.2019.

As per prosecution, on 18.06.2019, 900 intoxicant tablets of Clovidol-100 SR were recovered from the petitioner and co-accused Sukhwinder Singh.

Learned counsel for the petitioner contends that the petitioner is in custody for a long period, and the trial is likely to consume considerable time to conclude as out of total seventeen prosecution witnesses, no witness has been examined so far. According to her, the petitioner is not involved in any other case of similar nature. She prays for bail.

On the other hand, the prayer is opposed by the learned State

counsel, assisted by SI Gurjant Singh. He has filed the custody certificate by way of affidavit of Rahul Raja, PPS, Deputy Superintendent, Central Jail, Bathinda, which indicates that the petitioner is not involved in any other case of similar nature. It is not disputed that no prosecution witness has been examined till date.

After hearing the learned counsel for the parties, this Court finds that the trial is likely to consume considerable time to conclude as no prosecution witness has been examined so far 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 18.06.2019. Further, 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 his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Barnala.

March 17, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No