

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 11549 of 2021

Date of Decision: 10.9.2021

Kamaldeep Singh @ Kamal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. L.S.Sekhon, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 22 dated 21.02.2019 under Sections 22 and 29 of the NDPS Act, 1985, Section 473 IPC and Section 207 of Motor Vehicles Act, 1988, registered at Police Station Longowal, District Sangrur.

Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case; that the petitioner was apprehended on the basis of secret information and no recovery had been effected from him; that the petitioner has been in custody since 21.2.2019 and no other case of similar nature is pending against him.

On the other hand, learned State counsel while opposing the bail petition, submits that the recovery effected from the petitioner falls under the commercial quantity and out of 11 prosecution witnesses, none has been examined so far. However, he has not disputed the custody period

undergone by the petitioner.

I have heard the learned counsel for the parties.

In the present case, though the recovery effected from the petitioner falls under the commercial quantity, yet the petitioner has been in custody since 21.2.2019 and there is no other case against him. Moreover, the prosecution evidence is yet to commence. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

September 10, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No