

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.12036 of 2021(O&M)

Date of Decision: 03.11.2021

Amritpal Singh @ Laddi

..... Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILLPresent: Mr. Dinesh Nagar, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Harnaresh Singh Gill, J. (Oral)

The case is being taken up for hearing through video conferencing.

Prayer is for grant of regular bail filed under Section 439 Cr.P.C. in case FIR No.84 dated 19.06.2020 under Section 22 of Narcotics Drugs and Psychotropic Substances Act, 1985 registered at Police Station, Rahon, District SBS Nagar.

Custody certificate by way of affidavit dated 03.11.2021 of the Additional Superintendent, Central Jail, Ludhiana, submitted by the learned State counsel, through email, is taken on record.

Learned counsel for the petitioner states that no recovery has been effected from the petitioner. The alleged recovery has been effected from the purse of co-accused, Rajwant Kaur with whom the petitioner was travelling on Scooty and the petitioner was not the owner of the said Scooty. It is further submitted that there is no other case pending or registered against the petitioner.

Learned State counsel while vehemently opposing the prayer for bail, states that commercial quantity of injections of Buprenorphine, has been recovered from co-accused namely, Rajwant Kaur with whom the petitioner was travelling on Scooty. He further states that the charges have been framed and prosecution witnesses are yet to be examined.

I have heard learned counsel for the parties.

In the present case, there is no recovery effected from the petitioner and the recovery has already been effected from the co-accused, namely Rajwant Kaur. Out of 16 witnesses, none has been examined and there is no other case pending or registered against the petitioner. Moreover, the petitioner has been in custody since 19.06.2020 and trial of the case would take time to conclude. 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.

3rd November, 2021

Sonia Puri

(HARNARESH SINGH GILL)
JUDGE

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