

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

Criminal Misc.-M No.13456 of 2021
Date of Decision: November 25, 2021

Satnam Singh

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Ramandeep Sandhu, Sr.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.104 dated 03.07.2020, under Sections 22 and 25 N.D.P.S.Act, 1985, registered at Police Station, Barnala, District Barnala, who is in custody since his arrest on 03.07.2020.

As per the prosecution case, on 03.07.2020, when Police officials were present at Standard Chowk, Handiaya in connection with patrol duty, a secret information was received that Satnam Singh being engaged in selling of intoxicant tablets would be coming to Village Sekha, Pharwahi, Jhaloor, Handiaya, Dhanoula Khurd on his motorcycle for selling the same. Acting upon the same, accused was apprehended. Upon search, 2500 Clovidol-100 GS intoxicant tablets were recovered.

Learned counsel for the petitioner has argued that only one

prosecution witness has been examined so far out of total fourteen witnesses, though the charges were framed on 07.01.2021. He submits that co-accused, namely, Ajay Singh @ Honey has already been released on regular by this court vide order dated 12.01.2021 (Annexure P-3). According to him, 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, learned State counsel assisted by ASI Kamaldeep Singh does not dispute this fact that the co-accused has been extended the concession of regular bail, but states that co-accused was arraigned as an accused on the statement of the present petitioner and no recovery was effected from his possession. He has further produced the custody certificate dated 24.11.2021 by way of affidavit of Balvir Singh, Superintendent, District Jail, Barnala, which indicates that he is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, considering the above background as well as the pace at which the trial is progressing, this court is of the opinion that the possibility of conclusion of trial in near future is extremely bleak. Admittedly, the petitioner is not involved in any other case and the material witnesses are police officials and at present there does not seem to be any possibility of their being won over, therefore, the further detention of the petitioner behind the bars would not serve any useful purpose.

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.

November 25, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No