

CRM-M-15255-2021

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

CRM-M-15255-2021 (O&M)

Date of decision:01.10.2021

Manpreet Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. L.S. Lakhanpal, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A. G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

CRM-32807-2021

Application is allowed as prayed for.

Annexure P-1 is taken on record, subject to all just exceptions.

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Through this second petition under Section 439 Cr.P.C. the petitioner seeks regular bail in case bearing FIR No.197 dated 05.11.2019, registered at Police Station City Hoshiarpur, District Hoshiarpur, under Section 22 NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that as per the allegations, the petitioner was driving a Scooty and the pillion rider was holding a black colour bag; that the alleged recovery of intoxicant tablets was effected from the road, and that the petitioner has been in custody since 05.11.2019.

On the other hand, learned State counsel submits that there

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were two bags, i.e. one was lying on the floor mat of the Scooty, driven by the petitioner and the second was hold by the pillion rider on his shoulder. He further submits that charges have been framed and the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

Although the alleged recovery effected in the present case falls under the commercial quantity, yet the fact remains that the petitioner has been in custody since 05.11.2019 and the prosecution witnesses are yet to be examined. Trial of the case would take time to conclude, especially due to Covid-19. 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.

01.10.2021

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No