IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-18751-2021
Date of decision: 10.08.2021

Sukhwant Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Kuljit Singh Bal, Advocate,
for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.306 dated 19.09.2019, registered at Police Station Sadar Tarn Taran, under Section 22 NDPS Act.

Learned counsel for the petitioner contends that the petitioner is a chemist and is the proprietor of M/s Simran Medical Store, Chutala, District Tarn Taran. The only allegation against the petitioner is that he was sitting in his chemist shop, but could not produce any valid licence. In fact, the petitioner possessed a valid drug licence (Annexure P-1) w.e.f. 29.06.2016 to 28.06.2021, issued by the Licensing Authority, Department of Drugs Control, Punjab. The said fact has not been disputed by the State in the affidavit dated 12.07.2021, filed by the Deputy Superintendent of Police, Sub Division Khadoor Sahib, Camp at Goindwal Sahib. By placing

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reliance upon the GST Invoice dated 01.09.2019 (Annexure P-2), learned counsel submits that the petitioner had purchased various types of tablets and capsules i.e. Alprazolam, Calvidol and Faridol, from M/s Fortune Labs, Panchkula. The petitioner has been in custody for about 07 months and 22 days. There is no other case pending or registered against him.

On the other hand, learned State opposes the prayer made by the learned counsel for the petitioner. However, there is no specific reply with regard to the possessing of a valid licence (Annexure P-1) in the said affidavit, running into six pages.

I have heard the learned counsel for the parties.

The petitioner has been in custody for about 07 months and 22 days. Trial is unlikely to conclude any time soon. 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.

Copy of this order be sent to the Senior Superintendent of Police, Tarn Taran, for information.

10.08.2021 **(HARNARESH SINGH GILL)**
parveen kumar **JUDGE**

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

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