

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

CRM-M-17939-2021

Date of decision:29.06.2021

Acko Vincent

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Swati Verma, Advocate for the petitioner.

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

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate, by way of an affidavit dated 29.06.2021 of Deputy Superintendent, Central Jail, Ludhiana, filed through email, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.306 dated 23.12.2018, registered under Sections 21 and 25-A of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Samrala, District Ludhiana.

Learned counsel for the petitioner states that the recovery was effected from a polythene bag. In the present case, there are two accused, including the petitioner. It is further stated that provisions of NDPS Act has not been complied with because there was a language issue as the petitioner is a Nigerian and not conversant with Punjabi language. It is further stated that the challan has been presented and out of 13 prosecution witnesses, one has been examined so far. The petitioner has been in custody

since 23.12.2018.

Learned State counsel opposes the prayer made in the present petition. However, he submits that there is no other case pending or registered against the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.12.2018 and only one prosecution witness has been examined so far. The trial would take a considerable long time in its conclusion. 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 subject to his furnishing bail and surety bonds to the amount of Rs.2,50,000/- (Two lacs and fifty thousand only) to the satisfaction of the learned trial Court/Duty Magistrate and further subject to surrendering of his passport.

29.06.2021
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(HARNARESH SINGH GILL)
JUDGE

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