

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 22718 of 2021
Date of Decision: 29.6.2021**

Ashok Kumar @ Shoky

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. P.S.Sekhon, Advocate
for the petitioner.

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

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 214 dated 8.8.2020 under Sections 15, 18 and 25/27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Sunam, District Sangrur.

Custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Patiala has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that even as per the FIR, the petitioner is the driver of the truck in question, which is owned by one Lali Singh, who has already been granted anticipatory bail by this Court; that 85 kilograms of poppy husk and 500 grams of opium was allegedly recovered from the petitioner; that the petitioner being merely a driver has nothing to do with the said recovery; that the petitioner has been

in custody since 08.8.2020; that there is no other case against him; and that the challan stands presented and charges have been framed but no prosecution witness has been examined till date.

On the other hand learned State counsel has opposed the bail application.

As per the custody certificate, the petitioner has been in custody for the last 10 months and 15 days and no other case is pending against him. Co-accused Lali Singh has already been granted anticipatory bail by this Court. Moreover, charges have been framed but no prosecution witness has been examined so far. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

June 29, 2021
Gurpreet

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