

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.22684 of 2021(O&M)

Date of Decision:12.11.2021

Bittu Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.B. Raheja, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a second petition that has been filed for grant of regular bail to the petitioner in FIR No.289 dated 21.07.2019 registered under Section 22 of the NDPS Act at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the said matter. It is argued that there is an alleged recovery of 1000 tablets of Clovidol 100 SR with total weight of 408 grams from the petitioner, which would be above the non-commercial quantity of 250 grams. It is further argued that petitioner has been in custody since the date of his arrest i.e.21.07.2019 and is not involved in any other case. He would rely upon the judgments rendered in *CRM-M No.12541 of 2020 dated 10.08.2020 titled as Lakhwinder Singh alias Lakha vs. State of Punjab*, *CRM-M No.7882 of 2020 dated 26.10.2020 titled as Deepak Singh vs. State of Haryana*, *CRM-M No.46571 of 2019 dated 26.10.2020 titled as Jagdish vs. State of Haryana* and *CRM-M No.12001 of 2018 dated 24.08.2018 titled as Paramjit Singh @ Pamma vs.*

State of Punjab passed by the Co-ordinate Bench wherein the accused-petitioner have been admitted to regular bail keeping in mind the period of custody. It is submitted that the matter has been investigated and challan stands presented and trial will take some time to conclude as out of 18 witnesses cited, only 01 witness has been examined so far, thus, prays for grant of regular bail to the petitioner.

Counsel for the respondent-State would oppose grant of regular bail to the petitioner by contending that allegations levelled against him are serious in nature. However, she is not in a position to dispute the fact that matter has been investigated and challan stands presented.

I have heard counsel for the parties. Without going into the merits of the case and purely keeping in mind the custody of the petitioner who is in custody since 21.07.2019 without availing any benefits thereunder and that matter has been investigated and challan stands presented and the fact that trial will take some time to conclude as out of 18 witnesses cited only 01 witness has been examined so far, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of adequate personal/surety bonds to the satisfaction of concerned trial court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

November 12, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No