

CRM-M-23579-2021

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

CRM-M-23579-2021

Date of decision: 01.07.2021

Surjit Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Charanpreet Singh, Advocate,
for the petitioner.

Mr. Harpreet Singh Multani, 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.76 dated 16.08.2019, registered at Police Station Special Task Force, Phase-4, District STF Wing, SAS Nagar, under Sections 21 and 29 NDPS Act.

Learned counsel for the petitioner contends that the petitioner has been indicted on the basis of a disclosure statement of co-accused, Sunil Kumar @ Sundri, and that neither the petitioner was arrested at the spot nor any recovery was effected from him. Moreover, the aforesaid Sunil Kumar, who was arrested at the spot, has since been enlarged on bail by this Court, vide order dated 19.04.2021 passed in CRM-M-18110-2020. It is further submitted that similarly situated co-accused, Hardeep Kumar, who has also been indicted in the present case on the basis of the disclosure

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statement of aforesaid Sunil Kumar, stood enlarged on bail by the trial Court, vide order dated 13.08.2020. The petitioner has been in custody since 14.01.2021. There is only one case of a similar nature, registered against the petitioner, wherein he has already been granted the concession of bail.

Per contra, learned State counsel opposes the prayer made in the present petition. However, he does not dispute the aforesaid factual submissions raised by the learned counsel for the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 14.01.2021. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, 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.

01.07.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No