

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

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CRM-M-19761-2020 (O&M)

Date of Decision: 19.04.2021

LASHMAN SINGH @ DOCTOR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

Mr. H.S. Sitta, A.A.G. Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Status report by way of an affidavit dated 19.03.2021 of the Deputy Superintendent of Police, Sub-Division Maur, District Bathinda, filed in the Registry, is taken on record.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.03 dated 10.01.2020 registered at Police Station Maur, District Bathinda, under Section 22 and Section 29 of the NDPS Act, 1985 (added later on vide GD No.48 dated 10.01.2020).

Learned counsel for the petitioner submits that the petitioner was working as a water carrier in the medical shop owned by Tarsem Chand; that the petitioner has been in custody for the last 1 year 3 months 4 days and that there is no other case registered or pending against the petitioner. He further submits that co-accused-Tarsem Chand has already been granted concession of anticipatory bail by a Coordinate Bench of this Court.

Learned State counsel, while opposing the prayer for grant of regular bail to the petitioner, has not disputed the factum of custody period of the petitioner and the fact that there is no other case registered or pending against him. He, however, submits that the recovery effected from the petitioner is huge and falls under the commercial quantity. He further states that the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 10.01.2020. There is no other case registered or pending against the petitioner. Charge(s) is yet to be framed. Trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bar.

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.

19.04.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*