

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 25077 of 2021

Date of Decision: 15.7.2021

Harpreet Singh @ Harji

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Raj Kumar Gupta, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 79 dated 24.8.2019 under Sections 21 and 29 of the NDPS Act, 1985 registered at Police Station Special Task Force, Phase-IV, Mohali, District SAS Nagar.

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

Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case; that the alleged recovery of 418 gram of heroin, was effected from the co-accused; that so far as the recovery of Rs. 72,000/- from the petitioner is concerned, the said amount was being carried by the petitioner for the treatment of her mother, who was admitted in CMC Hospital, Ludhiana; that the petitioner has been in custody for the last 01 year, 08 months and 20 days; and that there is no other case

against him.

On the other hand, learned State counsel submits that in the present case, challan has been presented, charges have been framed and out of 18 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

As per the custody certificate, the petitioner has been in custody for the last 01 year, 08 months and 20 days and there is no other case against him. In the present case, charges have been framed and out of 18 prosecution witnesses, none has been examined till date. 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

July 15, 2021
Gurpreet

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